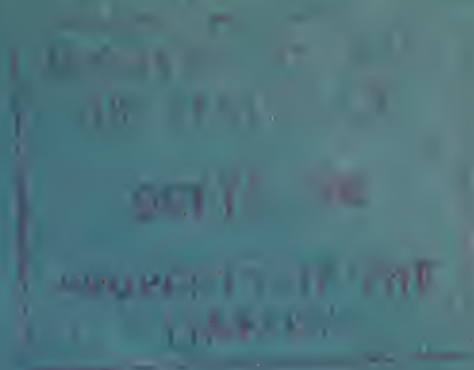


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UNION OF SOUTH AFRICA



REPORT

OF THE

DEPARTMENT OF LABOUR

For the Year ended 31st December, 1937

WITH WHICH ARE INCLUDED THE REPORTS OF

THE CHIEF INSPECTOR OF FACTORIES,
THE WORKMEN'S COMPENSATION
COMMISSIONER

AND

THE WAGE BOARD.

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For the Year ended 31st December, 1937

WITH VOTES OF THE COMMITTEES OF

THE CHIEF DEPARTMENTS OF LABOUR, AND
THE WORKS DEPARTMENT

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THE HONOURABLE THE MINISTER OF LABOUR.

I have the honour to present the Report of the Department of Labour for the calendar year 1937. This account of the Department's activities includes a record of the work done by those sections of the Department which, on the 1st October, 1937, were transferred to the Department of Social Welfare. The material for the relevant portion of the Report (Chapter III) was supplied by the Secretary for Social Welfare.

FORMATION OF DEPARTMENT OF SOCIAL WELFARE.

From time to time I have availed myself of the opportunity afforded by the departmental annual report to emphasize the ever-increasing importance of the Department's rehabilitative work amongst the impoverished members of the population, particularly those who, due largely to pressure of natural forces and economic developments, have in recent years found it increasingly difficult to earn a reasonable living on the land. Amongst the measures adopted by the Government to assist in the rehabilitation of this section of the community were several which were associated closely with the Department's functions in regard to unemployment, and which were a natural corollary to the Department's endeavours to ensure to everyone the opportunity of earning a decent living under satisfactory conditions.

In recognition of the fact that the Department's interests had outgrown the scope of its original title, it was decided, in April, 1935, that the Department should thenceforth be known as the Department of Labour and Social Welfare. Later in the year a Commissioner of Social Welfare was appointed to organize and co-ordinate State activities dealing with the welfare of the poor and needy, but before much could be achieved the Government decided to establish a separate Department of Social Welfare which came into being on the 1st October, 1937.

For purposes of record, I should like to state that when my opinion on the proposed formation of a separate Department of Social Welfare was asked, I pointed out that it would not be practicable to centre in one Department the whole of the social welfare activities for which the State had assumed responsibility. As the activities of the Department of Labour and Social Welfare were peculiarly of a social welfare character, and the machinery for co-ordinating such activities already existed in the Department, to which a separate division had recently been added with that very object, I did not consider that there were adequate reasons for incurring the heavy expenditure and expansion of personnel involved in the creation of a separate Department to assume responsibility for some of the social welfare work then being performed by various Departments in the course of their ordinary activities. I suggested that it would be preferable for the Government to make it clear to all Departments that the Department of Labour and Social Welfare was responsible for the co-ordination of the social welfare activities of the State as a whole, and that a meeting be convened of representatives of the Departments concerned with a view to discussing ways and means of co-ordinating existing functions and preventing overlapping in departmental activities. Some such method of co-operation would, in my opinion, have met the needs of the situation. My proposal was, however, not adopted and the formation of the new Department was decided on. The following functions were transferred from this Department to the Department of Social Welfare:—

- Rural Rehabilitation and Housing Scheme;
- Assistance to Needy Physically Unfit Europeans;
- Welfare Work on Forestry Settlements;
- The Church-State Scheme of Co-operation;
- Subsidization of Hostels for Low-Paid Workers;
- The Administration of the—
 - Work Colonies Act, 1927;
 - Rents Act, 1920; and the
 - Blind Persons Act, 1936.

INDUSTRIAL LEGISLATION.

The rapid expansion of industrial activity in South Africa has resulted in the construction, in the course of a few years, of a system of legislative control which compares favourably with the machinery existing in older countries for the protection of the worker against undue exploitation. In 1937, two of the most important measures dealing with this subject—the Industrial Conciliation Act and the Wage Act—were revised by Parliament, and the original laws, passed in 1924 and 1925, respectively, were replaced by two new measures, bearing the same titles. The principal features of

these laws are described in detail in Chapter IV of the Report. Many drastic alterations to the law have been made, and provisions included which should be of material help to all who are concerned with ensuring reasonable conditions of employment to the worker and fair competition to the honest employer. Apart from this amending legislation, the Parliamentary session of 1937 also saw the adoption of the Unemployment Benefit Act, a measure designed to alleviate the distress attendant upon unemployment, by providing for the establishment of unemployment benefit funds, on a contributory basis, in scheduled industries. At the time of writing preliminary negotiations were being conducted for the establishment of unemployment benefit funds in all the more important industries.

MAINTENANCE OF INDUSTRIAL PEACE.

Although there were more industrial disputes last year than in 1936, they were all of comparatively short duration, and the total amount of wages lost by employees owing to strikes and lock-outs did not reach £10,000. A study of Chapter IV of the Report, and particularly that portion dealing with Conciliation Boards, will indicate the extent to which differences between employers and employees on matters which might well have led to industrial strife were settled through the Conciliation machinery provided by the Industrial Conciliation Act. It is one of the major achievements of this country's system of industrial legislation, and the co-operation between employer and employee which has sprung from it, that the suffering and loss entailed by industrial disputes involving cessation of work have been reduced to almost negligible proportions over a period of years. By their untiring devotion to duty, particularly at times when tactful intervention and guidance have been necessary to forestall possible untoward developments, the Department's district officers have played a considerable part in ensuring the maintenance of good relations between employers and employees.

CONTEMPLATED LEGISLATION.

The legislative measures submitted to and passed by Parliament in 1937 represent a first instalment of the legislative programme which the Department has under consideration. Four other bills are at present being drafted for submission to Parliament as soon as circumstances permit. These deal with the registration of electrical wiremen, the control of hours of work and other conditions of employment in shops and offices, and proposed amendments to the Factories Act and the Apprenticeship Act. Many of the legislative changes proposed in these draft measures arise from the recommendations of the Industrial Legislation Commission. As two of the draft bills are likely to be proceeded with very shortly, a brief indication of their objects and scope will not be out of place.

Shops and Offices.—The contemplated legislation regarding conditions of employment in shops and offices had its origin in a suggestion made by the Industrial Legislation Commission that the control of hours of work in shops should be transferred from the Provincial Administrations to the Union Government. The existing arrangement is anomalous, having regard to the fact that the regulation of conditions of employment, with the solitary exception of hours of work in shops, is a function of the Union Government. The Provincial Consultative Committee agreed with the Commission's views, and the Department of Labour was requested to draft the necessary legislation. The present intention is to prescribe maximum hours of work in shops, and to provide for the application of such provisions to offices by administrative action. In addition, some measure of control in regard to actual working conditions, on the analogy of the Factories Act is contemplated. The object of the Department is to bring about some alleviation of the sweated conditions which undoubtedly exist in a number of shops and offices, both in industrial areas and in the smaller towns throughout the country.

Registration of Electrical Wiremen.—For many years past, all the bigger municipalities have had in existence a system of registering electrical wiremen, with the object of protecting the public against the dangers of imperfect workmanship. In 1936, the power of Provincial Councils to enact the ordinances under which the municipalities had acted was called into question and it was ascertained that many of the provisions were *ultra vires* the powers of the Provincial Councils. After the position had been fully considered by the Provincial Consultative Committee, the Department of Labour was asked to deal with the matter and to draw up the necessary legislation. A bill has been drafted which provides for the registration of electrical wiremen who pass an examination to be prescribed by a Board of Examiners. Provision will be made for the suspension or cancellation of a wireman's registration certificate for faulty workmanship, and the employment of unregistered wiremen will be forbidden in areas to be fixed by the Minister from time to time. It is also proposed to amplify the powers of local authorities in regard to the control of electrical contractors.

TRADE UNIONS—"UNITY MOVEMENT".

I am happy to be able to report that the efforts which have been made from time to time to bring about an understanding between the South African Trades and Labour Council and the Cape Federation of Labour Unions were brought to a successful conclusion at a joint meeting held at East London in April, 1938. At this meeting, representatives of the two organizations signed an agreement, under which a National Joint Committee was established, to act as a consultative and co-ordinating body, with the ultimate object of establishing a single national trade union centre. The agreement also settled certain problems of jurisdiction which in the past had been a fruitful source of dissension and dissipation of energy. The establishment of machinery to bring about unity of action and purpose in the trade union movement will, I have no doubt, prove of considerable advantage to trade unionists, and indirectly to all who are concerned in the industrial well-being of this country. Strong and effective trade union organization is essential if the fullest benefits are to be derived from our system of industrial legislation. Two of the most important measures—the Industrial Conciliation Act and the Unemployment Benefit Act—cannot achieve their purpose save through the agency of efficient organizations of employers and employees. The "Unity" agreement, by removing a source of weakness in trade union organization, should assist the trade unions to derive the fullest possible benefit from the facilities for improving conditions of employment placed at their disposal by the industrial laws.

CRITICISMS OF DEPARTMENT.

This is not the first occasion that I have felt it necessary to refer to the impatient, and sometimes surprisingly ill-informed criticism to which the Department is subjected from certain quarters whenever it finds itself unable to adopt a course of action suggested by interested parties. This tendency to hasty and superficial criticism is particularly noticeable in connection with industrial legislation. The two principal interests concerned, those of employers and employees respectively, are frequently in conflict and the Department, when called upon in the course of its statutory activities to decide a thorny point, must endeavour to choose a course of action calculated to promote the objects of the law and the well-being of those concerned. In some quarters, a decision which does not accord one hundred per cent. with the representations made on behalf of employees automatically calls forth a stream of abuse which not only does disservice to the workers' cause, but inevitably raises doubts as to the sincerity of any future representations from the same source. I should like to emphasize the fact that the Department, however keen the desire to improve the working conditions of employees, is bound by the provisions of the law and must administer the relevant Acts with due regard to the interests of all parties.

WAGES OF UNSKILLED WORKERS.

In recent years, there has been an increasing appreciation of the necessity for improving the wages and other conditions of employment of unskilled workers. Save in the Cape, the unskilled worker in industrial areas was, until comparatively recent times, a tribal native, living in a native reserve and seeking work in the towns for a few months each year. The labour requirements of our ever-growing manufacturing industries necessitated the establishment of a more settled urban labour supply, and many thousands of natives are to-day town residents, completely cut off from their brethren in the reserves. These urban workers cannot sustain life or bring up their families, under urban conditions, on the wage standards which met the needs of a former generation of casual labourers. In previous reports, details were given of the steps taken by the Department to effect a gradual improvement in the rates of pay for unskilled workers. This policy found support in the recommendations of the Industrial Legislation Commission and other authoritative bodies which have had occasion to consider this aspect of wage regulation, and has been well received by employers and trade unions. To some extent, there has also been an awakening of public opinion on the subject, due largely to the fact that the native unskilled worker, after a period of quiescence following the abortive native trade union movement of a few years ago, is again organizing his forces and giving expression to his needs. This recent movement has been particularly noticeable in Durban, where several strikes of native workers occurred. The following resolution, passed at a representative meeting of employers of large numbers of natives in Durban is indicative of the serious attention which the problem is receiving in the urban areas:—

"That this meeting views with concern the growing unrest among native labourers mainly created by the absence of any wage controlled by law. The Government is therefore requested to appoint a Commission to go into the general question of native wages and betterment of labour conditions on a national basis with the minimum of delay".

A resolution in similar terms was passed at the Annual Convention (1937) of the South African Federated Chamber of Industries. Almost simultaneously, the Natives' Representative Council requested the Government to hold an enquiry into the wages of natives in all industries.

In considering these representations the Department had of necessity to view the matter in relation to the existing system of industrial laws. Within the limits of its jurisdiction, the Department has done a great deal to raise the wage rates and improve the conditions of the lower-paid workers in industry and commerce, and many industrial councils have readily co-operated with the Department in this respect. As one example, I would quote the Building Industry on the Witwatersrand, where the rate of pay for unskilled work has been raised, over a period of two years, from 4½d. to 5½d. per hour. In so far as the unorganized industries are concerned, the Wage Board has conducted several investigations which should lead to the publication in the near future of wage determinations benefiting a large number of such workers.

In regard to the request for a Commission of Enquiry, it will be remembered that the economic position of the native was the subject of an exhaustive investigation by the Native Economic Commission as recently as 1933, while the specific question of the adequacy of the wages paid to unskilled workers received the attention of the Industrial Legislation Commission in 1935. The latter body emphasized the necessity for raising the lower wage levels, but did not contemplate action being taken otherwise than by means of the existing statutory machinery. In so far as employment in industry and commerce is concerned, there would seem to be little likelihood of a fresh investigation bringing new facts to light or revealing any more effective methods of dealing with the problem than those already put forward by previous Commissions.

NATIVE TRADE UNIONS.

As already indicated, there has been a recrudescence of organization amongst native workers, and the time is not far distant when close consideration will have to be given to the policy to be adopted towards organizations of this sort. The Industrial Conciliation Act accords no statutory recognition to native trade unions, which, not being registrable, are not subject to the restrictions nor capable of benefitting from the advantages applicable to registered unions. A certain measure of protection is, however, granted to the organizers and members of native trade unions by provisions in the Industrial Conciliation and Wage Acts which prohibit the victimization of any employee by reason of his membership of, or lawful activities in connection with any organization of employees, the object of which is to further the employees' interests in relation to their employers. The information at the disposal of the Department shews that there are at least ten unions operating in the Johannesburg area, the membership of which consists either entirely or principally of natives. Unless these organizations are subjected to supervision similar to that applicable to registered unions, there is an ever-present danger of the native worker being exploited for selfish or subversive ends.

UNEMPLOYMENT.

I have little to say on this subject—as the details furnished in Chapters I and II indicate, the position in regard to unemployment remains very satisfactory. The available figures relating to industrial employment indicate that the steady expansion which commenced a few years ago is being maintained. The figures quoted in the opening paragraphs of Chapter I illustrate very clearly the extent to which female labour has increased in numbers. In 1924-25, women and girls formed 14·6 per cent. of the total number of Europeans employed in private manufacturing industry. Eleven years later this proportion had risen to 24·2 per cent., and the actual number of European females had increased from 7,815 to 25,768. During the same period, the total number of female employees of all races rose from 15,106 to 35,745. The majority of this new army of women workers are employed in industries such as the manufacture of clothing and footwear, which have made tremendous strides during recent years.

COLOURED UNEMPLOYED.

The position in regard to coloured unemployment has caused the Department a good deal of concern, and it has become clear that remedial measures designed to grapple with some of the root causes of the difficulties experienced by the coloured community are necessary. The report of the Commission of Enquiry regarding the Cape Coloured Population shews clearly that the coloured people are on the down-grade and, if left to themselves, will sink lower and lower, becoming an ever-increasing burden on the community. In the Cape Peninsula, the area principally concerned, there is a large number of coloured men who are able to subsist through the charity of institutions or friends, or on the earnings of their wives, eked out by an occasional job. These men do not ordinarily seek regular employment, although they may come forward to register for work under particularly attractive conditions, such as the Cape Town municipal relief schemes which offer a wage of 5s. 6d. per day. This portion of the coloured population is receptive to communist and other subversive propaganda, and there are indications that full advantage is being taken of the opportunity by interested parties.

It is generally realised that unskilled labour has in the past provided the means of existence for the bulk of the coloured population, and any solution of unemployment problems must visualize the provision of work of this type for the unemployed coloured man. So far as the older men are concerned, there are various Government and State-aided works designed to relieve the immediate needs, but something more than mere relief is required if a permanent solution of the problem is to be achieved. There was a time when unskilled work in the Western Province was almost exclusively the prerogative of the coloured man. To-day the native is ousting the coloured man from a large number of industries such as dairying, building and brickmaking, where unskilled work of an arduous nature has to be performed. The Department has found that the native labourer is preferred because of his better physique and his greater reliability. If the coloured man is to be rehabilitated in so far as employment is concerned, active steps towards remedying the tendencies which have caused his replacement by the native are essential. Many of the evils to be combated fall within the purview of other Government departments. The Department of Labour is prepared to shoulder its share of the burden, and is preparing, for consideration by the Government, plans for the establishment of a Coloured Labour Service Corps. The object of such an institution would be to improve the physique of young coloured men not qualified for existing employment schemes, and to train them in habits of industry and discipline with a view to their subsequent placement in suitable employment. In the course of training, such a body could be used to perform work of national importance, particularly land reclamation and improvement schemes, which would not otherwise be undertaken.

ADVISORY COUNCIL OF LABOUR.

The Advisory Council of Labour, which was formed in 1924 and ceased to exist some six years later, was resuscitated in 1937. At the first meeting, held on the 29th November, 1937, the Honourable the Minister stated that the Council would be consulted on such matters as contemplated legislation dealing with conditions of labour, the ratification of International Labour Conventions, training in industry, general questions of employment and unemployment, and matters arising from the industrialization of South Africa. In addition to three Members of Parliament the membership of the Council at the end of 1937 included representatives of women's interests, employers and employees, commerce, agriculture and non-European interests.

EMPLOYMENT AND RACE PROBLEMS.

During 1937, representations were received by the Department in regard to the employment of European females in juxtaposition with non-Europeans, and the employment of Europeans by Asiatics. Investigation shewed that in the majority of factories in which European women were employed, native males were engaged on unskilled work which in many cases necessitated their working in proximity to the women. There was no evidence that European women and native males were employed together on the same work, nor did the Department's investigations during the year reveal any cases in which European women were required to take instructions from natives. It seemed clear, however, that in certain factories conditions had been growing up which might lead to an unsatisfactory state of affairs in the matter of the intermingling of European females and natives, and towards the end of the year a comprehensive investigation was set afoot, with a view to obtaining detailed information on which further consideration could be given to the advisability or otherwise of intervention on the part of the Government.

Investigations were also conducted with a view to ascertaining to what extent Europeans were employed by Asiatics, and evidence on this subject was submitted to the Parliamentary Select Committee which considered a bill dealing with the matter. The information obtained by the Department shewed a total of 379 Europeans (of whom 282 were females) employed in Asiatic establishments. The proposed legislation was not proceeded with, in consequence of an assurance by the South African Indian Congress that employment of the type objected to would be terminated voluntarily. As a result of subsequent discussion between the Minister of Labour and representatives of the South African Indian Congress, it was agreed as a general principle that the assurance given by the Congress should not be held to apply to the employment of European males, nor to European females working under the supervision of Europeans, provided that the nature of their employment was not such as to bring them into frequent contact with non-Europeans. It was understood that these principles would apply to saleswomen, female bookkeepers, office workers and cashiers, and that special consideration would be given to individual cases raised either by the Minister or the Congress. A number of cases were dealt with by the Department, in consultation with the Congress, during the latter half of the year.

STAFF.

A number of increases in staff were approved during 1937, and the staff position is at long last becoming somewhat easier. The Department's statutory responsibilities continue to grow and the legislative programme for the immediate future contemplates further substantial increases in the volume of work which my Department is required to perform. The Public Service Commission has shewn sympathetic appreciation of the necessity for increasing the Department's staff in order to cope with the additional work created by the measures passed in 1937, and I feel happier than I have done for some time in regard to the staff position. As in the past, I have had the fullest co-operation of the members of the staff in carrying out the functions of the Department.

IVAN L. WALKER.

Secretary for Labour.

Pretoria, 15th July, 1938.

CHAPTER I.

UNEMPLOYMENT RELIEF MEASURES.

1. SURVEY OF EMPLOYMENT POSITION.

During 1937, mining and industrial activity continued unabated, and the general index of employment, on the basis July, 1925 = 1,000, rose in December, 1937, to 1,477 in respect of Europeans and 1,463 for other races. In December, 1936, the corresponding figures were 1,394 and 1,441. The extent to which the industrial activity of recent years has increased the scope of employment for all races is indicated in the following table, which shows the number of persons employed in selected industrial establishments in the principal industrial areas, expressed as a percentage of the number of employees in July, 1935:—

	European.	Coloured.	Asiatic.	Native.
December, 1935.....	102	112	107	106
July, 1936.....	106	107	105	113
December, 1936.....	107	116	107	114
July, 1937.....	111	119	105	124
December, 1937.....	110	129	110	123

An examination of the industrial census figures indicates that, although the number of Europeans employed in private industry has increased substantially in recent years, the proportion of Europeans, after reaching a peak in the worst of the “ depression ” years (1932-33), declined slightly during the rapid industrial expansion which followed. The actual number of Europeans employed in 1935-36 exceeded the 1932-33 total by 37,432, but the proportion dropped from 41·9 to 39·56 per cent. The table printed hereunder also brings out very clearly the increase in the number of women workers in industry. Over a period of eleven years, the number of European female workers employed in manufacturing industries has trebled itself. The expansion of the opportunities for the employment of women has been brought about primarily by the growth of manufacturing industries in which the factory operations are of a nature particularly suitable for female workers. Two of the industries mainly responsible for this large-scale introduction of women into factory work in South Africa are the clothing and boot and shoe manufacturing industries which between them employ forty per cent. of the female workers in private industry.

Industrial Census Figures : Employment in Private Manufacturing Industry.

Year.	Number of Employees.				Percentage to Total Employees.			
	Euro- pean Males	Euro- pean Females	Total Females	Total Em- ployees	Euro- peans.	Euro- pean Males	Euro- pean Females	All Females
1924-25.....	45,635	7,815	15,106	152,747	35	29·9	5·1	9·9
1929-30.....	56,329	13,407	21,383	185,416	37·6	30·4	7·2	11·5
1932-33.....	52,073	16,908	24,367	164,790	41·9	31·6	10·3	14·7
1933-34.....	62,192	21,269	30,003	201,161	41·5	30·9	10·6	14·9
1934-35.....	71,737	23,855	32,614	234,295	40·8	30·6	10·2	13·9
1935-36.....	80,645	25,768	35,745	269,176	39·5	30	9·6	13·3
Percentage increase in 11-12 years.....	77%	230%	137%	76%	—	—	—	—

The Department's task of finding work for unemployed persons has been eased considerably by the expansion of employment as reflected in the figures quoted above. Indeed, the position has changed so drastically from that which ruled four or five years ago, that the greatest difficulty has been experienced in maintaining the European labour complements of certain national works which were started during the depths of the depression, when they provided work for thousands of unemployed men who were at that time dependent on Government relief. Although the commencement of these works was timed, and in some cases advanced, to assist in relieving unemployment, they were not temporary relief works, designed solely to meet the exigencies of the moment. Unemployment relief in this country has been characterised by an endeavour to provide work of permanent value. The primary object of railway improvement schemes and irrigation works, to mention two examples, is to meet national requirements and assist in the development of South African resources. At the same time, advantage has been taken of the opportunity to provide employment for the large number of Europeans who are not in a position to earn a living save as unskilled

labourers. By this means, many thousands of white workers have been enabled to demonstrate the ability and willingness of the European unskilled labourer to perform hard manual work, and many Europeans are earning a reasonable living in this class of work. Most of these workers are in Government or other public employment, either in regular service or on subsidized works. So far, private employers have not made unskilled work available to Europeans on a large scale, save in isolated instances.

In December, 1937, the total number of European labourers employed on work subsidized by the Department of Labour, or conducted without subsidy by Government Departments (including the Railway Administration) was 37,923, compared with 38,831 at the end of the previous year. The reduction was due entirely to the fact that there were not sufficient suitable European workers available to fill existing vacancies. The following table gives detailed figures, and includes particulars in respect of coloured men:—

Class of Work.	Number Employed.			
	December, 1936.		December, 1937.	
	European.	Coloured.	European.	Coloured.
1. <i>Subsidized Work.</i>				
Government Departments (including all anti-soil erosion works).....	6,177	428	4,673	328
S.A. Railways and Harbours.....	1,543	—	1,056	—
Provincial Administrations and Divisional Councils.....	889	201	839	178
Municipalities.....	1,805	402	2,048	312
Private Employers.....	98	—	318	36
TOTALS.....	10,503	1,031	8,934	854
2. <i>Non-subsidized Work.</i>				
Government Departments.....	7,646	2,074	7,637	1,904
S.A. Railways and Harbours.....	17,356	8,114	18,093	8,653
Provincial Administrations.....	3,326	283	3,259	246
TOTALS.....	28,328	10,471	28,989	10,803
GRAND TOTALS.....	38,831	11,502	37,923	11,657

Detailed statistics will be found at the end of this chapter.

2. SUBSIDIZED WORKS FOR COMBATING UNEMPLOYMENT.

The following is a brief statement of the works subsidized by the Department during the year under review:—

(1) *Railway Construction and Improvement Works.*—No new works were commenced during the year. The statement printed below gives particulars of the Railway works on which subsidized labourers were employed during 1937:—

Name of Works.	Number of Workers for whom Provision was made.		Basis of Subsidy.	Number of Labourers Employed.				Remarks.
	Euro-pean.	Col-oured.		Jan., 1937.		Dec., 1937.		
				Euro-pean.	Col-oured.	Euro-pean.	Col-oured.	
Chiselhurst—Ocean View Deviation.....	430	—	P.	51	—	—	—	Completed during year.
Kroonstad—Jordaan Deviations.....	200	—	P.	85	—	—	—	Completed during year.
Northern Natal : Improvement Works, Ingogo...	671	—	P.	393	—	398	—	
Northern Natal : Model Villages.....	500	—	P.	444	—	442	—	
Oudtshoorn—Klipplaat : Relaying.....	100	—	P.	96	—	—	—	Completed during year.
Pretoria—Germiston : Doubling.....	250	—	P.	250	—	154	—	
Pretoria—Germiston : (Semi-fits).....	300	—	P.	67	—	52	—	
Railway Bridge Upington	40	—	P.	—	—	10	—	Completed 31/12/37.
Roodepoort—Princess Halt Deviation.....	120	—	P.	42	—	—	—	Completed during year.
TOTAL.....	2,611	—	—	1,428	—	1,056	—	

Minimum daily wages have been fixed at 5s. and 5s. 6d. but on the Northern Natal Improvement Works and the Model Villages most of the men are employed on a piece-work basis and the following table indicates the average daily earnings of the men so employed:—

Month.	Number of men employed on piecework.	Gross Average Earnings during month.	Net Average Earnings during month.	Gross Average Earnings since commencement of work.	Net Average Earnings since commencement of work.
1937.		s. d.	s. d.	s. d.	s. d.
January.....	668	11 6 ¹ / ₄	10 2 ³ / ₄	10 6	9 8
February.....	632	11 6	9 11 ³ / ₄	10 6 ¹ / ₄	9 8
March.....	587	11 10	10 8	10 6 ³ / ₄	9 8 ¹ / ₄
April.....	590	11 10	10 8 ¹ / ₂	10 7	9 8 ³ / ₄
May.....	609	12 5 ³ / ₄	11 2	10 7 ³ / ₄	9 9
June.....	642	13 0 ¹ / ₄	11 4 ³ / ₄	10 8 ¹ / ₂	9 9 ³ / ₄
July.....	659	12 4 ¹ / ₂	10 5 ³ / ₄	10 9 ¹ / ₄	9 9 ³ / ₄
August.....	674	13 0 ¹ / ₂	11 2	10 10	9 10 ¹ / ₄
September.....	673	12 9 ¹ / ₄	10 6 ¹ / ₄	10 10 ³ / ₄	9 10 ¹ / ₄
October.....	603	12 9 ¹ / ₄	11 1 ¹ / ₄	10 11 ¹ / ₄	9 11
November.....	668	11 9 ¹ / ₄	10 2	10 11 ¹ / ₂	9 10 ¹ / ₂
December.....	666	12 8 ³ / ₄	11 5	10 11 ³ / ₄	9 11

Although the number of labourers authorized for the various Railway works decreased considerably due to some of the works being completed during the year, the Department experienced difficulty in keeping the complement of labourers for the works still in progress at full strength. The total amount paid by the Department to the Railway Administration during the financial year 1937-38 by way of subsidies amounted to £60,393.

(2) *Anti-Soil Erosion Works—Scheme “C”*.—There are in existence three schemes under which the Government grants financial assistance to farmers for the construction of anti-soil erosion works and small dams. The Department of Labour is concerned with Scheme “C”, under which European subsidized labour is employed. The Department pays seven-eighths of the wage cost, the land-owner being responsible for payment of the balance. From time to time, the Department has found it necessary to emphasize the fact that the primary object of the scheme is to provide work for Europeans who are not eligible for employment on other national schemes. Works under Scheme “C” can, therefore, only be undertaken in districts where there are *bona fide* unemployed persons, ineligible for employment on irrigation, forestry or other national works, due to their not having the requisite physical fitness, or being over 50 years of age. Persons who have left private employment with a view to obtaining work under Scheme “C”, or who are normally engaged in farming operations, or who have received Government assistance in the form of houses under the Rural Rehabilitation and Housing Scheme, or stock to continue their farming operations, are not regarded as unemployed. The general rule may be summarized by stating that employment on anti-soil erosion works under Scheme “C” is reserved for unemployed Europeans who are not physically able to perform the arduous manual labour required of workers on other national schemes. Where the nature of the work is such that a certain proportion of physically fit workers is essential, e.g., when dam-scrapers are used, the necessary authority for a departure from the rule is granted.

The prescribed wages are 5s. 6d. per day for married men and 4s. for single men, the hours of work being 48 during the winter and 51 during the summer months.

Owing to the progressive improvement in the unemployment position in South Africa since 1933, when the scheme was first started, a large number of anti-soil erosion works approved under Scheme “C” have been held up, as sufficient eligible European labourers are not available. At the end of December, 1937, 1,875 approved schemes, involving the employment of 12,428 labourers had not been completed. Actually only 346 schemes with 2,150 labourers were in progress. In cases where it is desired to proceed with anti-soil erosion works before subsidized European labourers can be supplied, farmers can take advantage of other schemes, controlled entirely by the Department of Agriculture, which are not related to the relief of unemployment, and are, therefore, not subject to the labour restrictions applicable to Scheme “C”.

Subsidies paid by the Department during the financial year 1937-38 in respect of the employment of European labourers on anti-soil erosion works were as follows:—

Government Departments	£3,142
Private Farms	168,621
Municipal Councils	3,870

(3) *Eradication of Noxious Weeds.*—This work is carried out by the Department of Agriculture and Forestry, the whole of the wage cost being met by the Department of Labour. Employment on these works is also reserved for semi-fit persons. During the year work in connection with the eradication of “ gifblaar ” was discontinued but the work of eradicating jointed cactus is still proceeding. The numbers employed on this work at the end of December, 1937, were 242 Europeans and 235 coloured men. The total expenditure incurred by the Department during the financial year 1937-38 on these works was £26,167.

(4) *Provincial and Divisional Council Subsidised Road Works.*—The total number of labourers employed on subsidised works by Provincial and Divisional Councils during January, 1937, was 905 Europeans and 181 coloured men. In December, 839 Europeans and 178 Coloureds were employed. Of the Europeans 850 and 665, during January and December respectively, were employed by Provincial Administrations. The majority of them were in the employ of the Orange Free State Provincial Administration on a permanent basis.

(5) *Municipal Subsidized Works.*—During the year Municipal Councils were subsidized by the Department in respect of the following classes of labourers:—

(a) *Regular Services.*—The Department's subsidy for this class of labour was on a diminishing scale spread over a period of three years, and subject to the condition that the labourers were absorbed into the regular services of the employing bodies at the expiration of the subsidy period. The numbers so subsidized decreased from 222 in January to 114 in December, 1937.

(b) *Temporary Relief Works.*—In view of the ample provision made for the employment of physically fit persons on works of a national character the Department was not prepared to subsidize temporary relief works for this class of worker. The number of persons employed on municipal subsidized relief works was, therefore, reduced during the year and at the end of December 240 Europeans and 209 coloured persons were so employed.

(c) *Contract Works.*—The Department's subsidy in respect of this class of work is based on the difference between the tender prices for European and Native labour. The number of European labourers employed under this scheme at the end of the year was 182.

(d) *Anti-Soil Erosion Works.*—The Department pays a subsidy of 75 per cent. of the wage cost in respect of labourers employed on municipal anti-soil erosion works. There were 78 subsidized European labourers so employed in December, 1937.

(e) *Semi-fit Labourers.*—This scheme was embarked upon with the object of providing employment of a permanent nature for persons whom, owing to age or physical disability, it is not possible to employ on works of a national character. A subsidy amounting to 75 per cent. of the wage costs is available to all public employing bodies which are prepared to employ additional labourers of this type. The number of Europeans employed under this scheme increased from 1,127 in January to 1,694 in December, 1937. In addition, 103 Coloured men were employed under subsidy at the end of the year.

(6) *Private Employers.*—The following particulars are furnished in respect of the subsidized employment of Europeans by co-operative societies, charitable organizations and private employers:—

Co-operative Societies.

Employing Authority.	Nature of Works.	Number of Workers for whom provision was made.			Basis of Subsidy.
		European Men.	European Women.	European Youths and Girls.	
Magaliesberg Co-operative Tobacco Growers' Society (Brits Branch)	Sorting, Packing, etc.	—	—	90	Part wage cost.
Magaliesberg Co-operative Tobacco Growers' Society (Rustenburg Branch).....	„	—	—	300	„
Pietersburg Co-operative Farmers' Society.....	„	—	—	70	„
Stirum-Limburg-Potgietersrust Co-operative Tobacco Growers' Society.....	„	—	—	4	„
Kango Ko-operatiewe Tabakmaatskappy.....	„	—	—	40	„
White River Fruitgrowers' Co-operative Co.....	Fruit Packing.	—	100	—	„
Sundays River Citrus Co-operative, Ltd.....	„	—	155	—	„
	TOTAL.....	—	255	504	

Charitable Organisations and Private Employers.

Employing Authority.	Nature of Works.	Number of Workers for whom provision was made.			Basis of Subsidy.
		Euro- pean Men.	Euro- pean Women.	Col- oured Men.	
S.A. Vroue Federasie.....	Blanket and clothing workrooms : Lichtenburg Diamond Diggings ;	—	104	—	Part wage cost.
	Bynespoort Diamond Diggings	—	42	—	„
Citizens Housing League Utility Co.	Work at Good Hope Model Village, Cape-town	10	—	—	„
Goedemoed Church Settlement, Orange Free State	Relief and Anti-Soil Erosion Works	33	—	—	„
Marble, Lime and Associated Industries, Ltd., Pretoria	Quarrying.....	50	—	—	„
Waterpoort Stone (Zoutpansberg)	Quarrying.....	25	—	—	„
Social Services Association of South Africa	Carl Rosenberg Work Depot, Johannesburg	—	37	—	Full wage cost.
Pretoria Spinning and Weaving School	—	—	55	—	„
Natal Christelike Vroue Vereniging	Cleaning Church Erf, Lady-smith	3	—	—	Part wage cost.
Brakboseiland Brug Fonds Komitee	Erection of Bridge	16	—	—	„
Kakamas Arbeidskolonie Bestuur.	Cleaning and Levelling of ground	130	—	—	„
Genadendal Board of Management, Caledon	Washaway repairs	—	—	36	„
George Hospital Board.....	Labouring work	4	—	—	„
Klipfontein School Committee, Edenburg	Gardening.....	1	—	—	„
Jagersfontein Hospital Board....	Labouring work	1	—	—	„
Potchefstroom University College.	Labouring work	6	—	—	„
Voortrekker Monumente Komitee	Excavation work	50	—	—	„
Louis Botha Childrens Home, Pretoria	Labouring work	2	—	—	„
	TOTALS.....	332	238	36	

(7) *Other Subsidized Works.*—The following is a summary of subsidies paid to certain Government Departments in respect of the employment of European and Coloured labourers, most of whom were ineligible for employment on national works owing to age or physical infirmity:—

Employing Authority. (Government Departments.)	Nature of Works.	Number of Workers for whom provision was made.		Basis of Subsidy.
		European.	Coloured.	
Department of Agriculture and Forestry	Anti-soil Erosion Works : Grootfontein	15	—	Part wage cost.
„ „	Anti-soil Erosion Works : Potchefstroom	10	—	„
„ „	Anti-soil Erosion Works : Glen	20	—	„
„ „	Anti-soil Erosion Works : Lagersdrift	9	—	„
„ „	Cleaning and weeding of plots : Rietondale Pasture Improvement station	6	—	„
„ „	Forestry Works : Capetown	30	400	Full wage cost.
„ „	Pasture Improvement Works : Rietondale	18	—	„
„ „	Pasture Improvement Works : Towoomba	20	—	Part wage cost.
„ „	Relief Works : Olyfenhoutdrift	20	—	„
„ „	Training of Gardeners : Rietondale	6	—	Full wage cost.
„ „	Cook : Rietondale.	1	—	„
Department of Public Works	Miscellaneous Works, Capetown	300	—	„
„ „	Layout of Police grounds, Mowbray	25	—	Part wage cost.
„ „	Zoo Extension Works-Pretoria	80	—	„
„ „	Miscellaneous Works, Pretoria	225	—	Full wage cost.
„ „	Refacing of Parade Grounds : Pretoria	30	—	„
„ „	Layout and maintenance of grounds Onderstepoort	20	—	„
Department of Lands.....	Buchberg Housing Scheme	12	—	Part wage cost.
„ „ „.....	New Straussberg Settlement	200	—	„
„ „ „.....	Violsdrift Settlement	43	—	Full wage cost.
„ „ „.....	Construction of Irrigation Canals:—			
	Skanskop Island....	64	—	Part wage cost.
	Cannon Island.....	39	—	„
Department of Union Education	Anti-soil Erosion Works : Lagersdrift	10	—	„
„ „	Anti-soil Erosion Works : Dewetsdorp	6	—	„

3. SPECIAL NATIONAL WORKS NOT SUBSIDIZED BY THE DEPARTMENT.

(1) *Irrigation Works.*—In December, 1937, there were seven irrigation works in the course of construction, giving employment to 1,818 European labourers and 304 coloured men. The corresponding figures at the end of the previous year were 2,548 and 367 respectively. Three schemes were completed during the year, viz., those at Buffelspoort, Clanwilliam and Louisvale Extension, and others were nearing completion. Experience has shewn that on completion of irrigation schemes, labourers have no difficulty in obtaining employment, often of a more remunerative character, for which their training on irrigation works has fitted them. The labour wastage on irrigation works is fairly heavy, and when a particular scheme is nearing completion, the resultant vacancies are not filled. The following figures show the reduction which has taken place in the number of men employed on irrigation works:—

Name of Works.	January.		July.		December.	
	European.	Coloured.	European.	Coloured.	European.	Coloured.
Egmont.....	78	—	72	—	27	—
Kalkfontein (Rietrivier).....	176	—	201	—	230	—
Loskop Canals.....	203	—	237	—	235	—
Loskop Dam.....	760	—	761	—	459	—
Olifantsrivier.....	2	115	2	100	2	29
Vaalbank Dam.....	309	—	191	—	129	—
Vaal-Hartz.....	1,105	262	823	323	736	275
TOTAL.....	2,633	377	2,287	423	1,818	304

(2) *Forestry Settlements*.—Work on forestry settlements is of a more permanent nature than the construction of irrigation works, and the following statement gives details in respect of the twenty settlements in existence in 1937. At the end of the year there were 133 vacancies which could not be filled owing to lack of eligible applicants:—

Name of Settlement.	Situation.	Number of families provided for.	Number of families in residence at end of year.
Bergplaats.....	George District.....	50	57
Bergplaats Extension.....	”.....	50	39
Bergvliet.....	Eastern Transvaal.....	80	73
Berlin.....	”.....	104	92
Blyde.....	”.....	70*	69
Brooklands.....	”.....	50	46
Ceylon.....	”.....	110	95
Coetzeestroom.....	”.....	100	96
Jonkersberg.....	Eastern Province.....	60	58
Jonkershoek.....	Western Province.....	20	16
La Motte.....	”.....	65	62
Longmore.....	Eastern Province.....	50	47
Malieveld.....	Eastern Transvaal.....	20	15
Nelshoogte.....	”.....	100	90
Nelsrivier.....	”.....	50	47
Otterford.....	Eastern Province.....	40	38
Spitzkop.....	Eastern Transvaal.....	100	84
Tweefontein.....	”.....	100	98
Weza.....	Harding, Natal.....	118	108
Witklip.....	Eastern Transvaal.....	40	14
	TOTAL.....	1,377	1,244

* Number reduced from 85 to 70.

4. LOANS, GRANTS AND SUBSIDIES.

The total expenditure incurred by the Department during the financial year 1937-38 on the relief of unemployment by way of loans, grants and subsidies was:—

	£	s.	d.	
Government Departments.....	164,916	0	0	Including £85,677 in respect of the Special Service and Pioneer Battalions.
Railway Administration.....	60,393	0	0	
Provincial Administrations.....	12,462	0	0	
Divisional Councils.....	10,126	0	0	
Municipal Councils.....	114,301	0	0	
Private Employers.....	216,920	0	0	Including £168,621 paid in respect of anti-soil erosion works.
	£579,118	0	0	

There was no expenditure during the year in respect of the issue of rations.

5. STAFF WORKS DURING THE YEAR 1937.

EMPLOYING DEPARTMENT	September.	October.		November.		December.	
	Coloured.	European.	Coloured.	European.	Coloured.	European.	Coloured.
(a) Government Departments—							
(1) Departmental Work	108	751	100	827	97	820	93
(2) Eradication of Gifblaas	—	—	—	—	—	—	—
(3) Eradication of Joint	246	230	234	225	236	242	235
(4) Anti-soil Erosion Works	—	60	—	59	—	59	—
(5) Special Service Battalion	—	1,357	—	1,320	—	1,275	—
(6) Pioneer Battalion	—	226	—	197	—	186	—
(b) South African Railways	—	1,055	—	1,029	—	1,056	—
(c) Provincial Administrations—							
(1) Transvaal	—	69	—	110	—	100	—
(2) Orange Free State	—	590	—	585	—	565	—
(3) Cape Province	178	192	178	178	178	174	178
(d) Municipalities—							
(1) Regular Services	—	113	—	113	—	114	—
(2) Semi-fits	77	1,615	77	1,669	101	1,694	103
(3) Relief Works (Contract)	168	255	168	240	178	240	209
(4) Contract Works	—	208	—	206	—	182	—
(5) Anti-soil Erosion Works	—	67	—	75	—	78	—
(e) Private Employers—							
(1) General Works—							
(i) Men	—	147	—	141	—	136	36
(ii) Women	—	133	—	128	—	136	—
(iii) Youths and	—	—	—	—	—	—	—
(2) Anti-soil Erosion Works	—	2,323	—	2,213	—	2,013	—
TOTAL	777	9,391	757	9,315	790	9,070	854
Totals Employed on Anti-soil Erosion Works	—	2,450	—	2,347	—	2,150	—
Department of Agriculture							
(a) General Works	755	795	711	864	708	964	699
(b) Forestry Settlements	—	1,244	—	1,255	—	1,244	—
Department of Commerce and Industries	12	7	12	7	12	8	12
Department of Defence	97	—	97	—	97	—	97
Department of Union Education	99	3	99	3	100	3	100
Department of the Interior	32	116	33	115	34	115	34
Department of Irrigation—							
(a) General Works	—	25	—	31	—	34	—
(b) Irrigation Schemes	423	2,005	405	1,937	359	1,863	304
Department of Justice	26	45	26	45	26	45	26
Department of Lands	151	394	205	398	207	402	216
Department of Posts and Telegraphs	7	1,918	7	1,967	7	1,998	7
Department of Public Health	84	2	82	2	79	2	76
Department of Public Works	335	969	345	922	335	959	333
South African Railways and Harbours							
(a) Temporary Works	—	6	—	4	—	3	—
(b) Maintenance	8,104	17,915	8,302	17,924	8,306	18,090	8,653
Provincial Administration	17	3	17	3	17	1	14
Provincial Administration	—	730	—	757	—	796	—
Provincial Administration	235	45	243	45	241	40	232
Provincial Administration	—	2,368	—	2,455	—	2,422	—
TOTAL	10,377	28,590	10,584	28,734	10,528	28,989	10,803

5. STATEMENT SHOWING THE NUMBER OF UNSKILLED AND SEMI-SKILLED PERSONS EMPLOYED ON SUBSIDIZED AND NON-SUBSIDIZED WORKS DURING THE YEAR 1937.

1. SUBSIDIZED WORKS.

EMPLOYING BODY.	January.		February.		March.		April.		May.		June.		July.		August.		September.		October.		November.		December.	
	Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.		Euro-pean.	
	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.	Col-oured.
(a) Government Departments—																								
(1) Departmental Works.....	823	194	818	194	801	194	702	132	572	129	596	117	596	121	570	117	740	108	751	100	827	97	820	93
(2) Eradication of Gifblaar.....	30	—	30	—	30	—	30	—	—	—	—	—	—	—	—	—	221	249	229	246	230	234	225	236
(3) Eradication of Jointed Cactus.....	390	210	381	207	353	213	274	203	255	209	265	223	237	230	221	249	229	246	230	234	225	236	242	235
(4) Anti-soil Erosion Works.....	61	—	50	—	56	—	53	—	52	—	55	—	51	—	50	—	58	—	60	—	59	—	59	—
(5) Special Service Battalion.....	1,751	—	1,765	—	1,801	—	1,314	—	1,163	—	1,264	—	1,396	—	1,431	—	1,369	—	1,357	—	1,320	—	1,275	—
(6) Pioneer Battalion.....	301	—	319	—	369	—	367	—	348	—	325	—	338	—	291	—	253	—	226	—	197	—	186	—
(b) South African Railways.....	1,428	—	1,315	—	1,194	—	1,108	—	1,125	—	1,092	—	1,170	—	1,132	—	1,101	—	1,055	—	1,029	—	1,056	—
(c) Provincial Administrations and Divisional Councils—																								
(1) Transvaal.....	88	—	36	—	74	—	65	—	65	—	65	—	65	—	65	—	87	—	69	—	110	—	100	—
(2) Orange Free State.....	752	—	682	—	720	—	656	—	656	—	659	—	657	—	622	—	604	—	590	—	585	—	565	—
(3) Cape Province.....	65	181	55	161	87	161	103	165	111	178	110	178	149	178	152	176	172	178	192	178	178	178	174	178
(d) Municipalities—																								
(1) Regular Services.....	222	—	219	—	218	—	183	—	157	—	142	—	135	—	125	—	120	—	113	—	113	—	114	—
(2) Semi-fits.....	1,127	73	1,188	80	1,232	80	1,309	62	1,343	62	1,357	77	1,435	77	1,488	77	1,566	77	1,615	77	1,669	101	1,694	103
(3) Relief Works (Council's Works).....	414	274	417	274	413	265	369	244	363	244	353	232	446	176	292	173	253	168	255	168	240	178	240	209
(4) Contract Works.....	92	—	120	—	82	—	97	—	71	—	61	—	130	—	202	—	209	—	208	—	206	—	182	—
(5) Anti-soil Erosion Works.....	66	—	70	—	85	—	76	—	91	—	99	—	97	—	94	—	93	—	67	—	75	—	78	—
(e) Private Employers—																								
(1) General Works—																								
(i) Men.....	49	—	52	—	27	—	18	—	76	—	114	—	124	—	133	—	154	—	147	—	141	—	136	36
(ii) Women.....	141	—	149	—	127	—	130	—	127	—	135	—	161	—	137	—	134	—	133	—	128	—	136	—
(iii) Youths and Girls.....	172	—	199	—	198	—	189	—	209	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
(2) Anti-soil Erosion Works.....	2,931	—	2,836	—	2,848	—	2,859	—	2,742	—	2,599	—	2,673	—	2,594	—	2,463	—	2,323	—	2,213	—	2,013	—
TOTALS.....	10,903	932	10,701	916	10,715	913	9,902	806	9,526	822	9,291	827	9,860	782	9,599	792	9,605	777	9,391	757	9,315	790	9,070	854

Totals Employed on Anti-soil Erosion Works (i.e. Government, Municipal and Private).....	3,058	—	2,956	—	2,989	—	2,988	—	2,885	—	2,753	—	2,821	—	2,738	—	2,614	—	2,450	—	2,347	—	2,150	—
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2. NON-SUBSIDIZED WORKS.

Department of Agriculture and Forestry—																								
(a) General Works.....	909	858	1,013	1,012	1,046	1,011	996	864	1,009	841	870	787	941	892	900	779	851	755	795	711	864	708	964	699
(b) Forestry Settlements.....	1,168	—	1,196	—	1,196	—	1,196	—	1,196	—	1,213	—	1,235	—	1,237	—	1,236	—	1,244	—	1,255	—	1,244	—
Department of Commerce and Industries.....	1	4	1	4	1	4	1	4	1	4	1	6	7	12	7	12	7	12	7	12	7	12	8	12
Department of Defence.....	—	92	—	92	—	89	—	99	—	99	—	100	—	97	—	97	—	97	—	97	—	97	—	97
Department of Union Education.....	3	79	3	86	3	86	3	89	3	96	3	98	3	98	3	99	3	99	3	99	3	100	3	100
Department of the Interior.....	118	35	118	34	121	34	119	34	119	34	118	34	116	33	121	33	119	32	116	33	115	34	115	34
Department of Irrigation—																								
(a) General Works.....	24	—	24	—	24	—	23	—	23	—	23	—	23	—	23	—	23	—	25	—	31	—	34	—
(b) Irrigation Schemes.....	2,635	340	2,695	315	2,643	421	2,343	395	2,245	417	2,344	431	2,290	423	2,222	427	2,179	423	2,005	405	1,937	359	1,863	304
Department of Justice.....	97	25	99	25	76	25	75	25	75	25	75	25	75	25	70	25	45	26	45	26	45	26	45	26
Department of Lands.....	409	108	450	165	438	167	593	153	257	342	275	109	330	127	392	169	346	151	394	205	398	207	402	216
Department of Posts and Telegraphs.....	1,604	7	1,646	7	1,953	7	1,984	7	1,993	7	1,904	7	1,927	7	1,943	7	1,947	7	1,918	7	1,967	7	1,998	7
Department of Public Health.....	2	68	2	66	2	62	2	71	2	71	2	76	2	77	2	81	2	84	2	82	2	79	2	76
Department of Public Works.....	845	358	754	350	870	413	937	417	922	382	978	368	982	349	995	342	947	335	969	345	922	335	959	333
South African Railways and Harbours—																								
(a) Temporary Works.....	127	—	128	—	126	—	127	—	130	—	134	—	12	—	6	—	6	—	6	—	4	—	3	—
(b) Maintenance.....	17,321	8,374	17,221	8,173	17,331	8,106	17,288	8,308	17,213	8,336	17,436	8,274	17,539	8,210	17,654	8,282	17,677	8,104	17,915	8,302	17,924	8,306	18,090	8,653
Provincial Administration of the Cape.....	3	15	3	15	3	15	3	15	3	18	3	18	3	18	3	18	3	17	3	17	3	17	1	14
Provincial Administration of the Orange Free State.....	625	—	623	—	621	—	628	—	624	—	679	—	681	—	693	—	554	—	730	—	757	—	796	—
Provincial Administration of Natal.....	83	254	79	255	75	259	71	262	68	261	73	258	57	245	57	238	47	235	45	243	45	241	40	232
Provincial Administration of Transvaal.....	2,624	—	2,567	—	2,560	—	2,566	—	2,549	—	2,443	—	2,523	—	2,350	—	2,355	—	2,368	—	2,455	—	2,422	—
TOTALS.....	28,598	10,617	28,622	10,599	29,089	10,699	28,955	10,743	28,432	10,933	28,574	10,591	28,741	10,613	28,678	10,609	28,347	10,377	28,590	10,584	28,734	10,528	28,989	10,803

CHAPTER II.

TRAINING AND PLACEMENT OF UNEMPLOYED PERSONS.

1. REGISTRATION AND PLACEMENT OF APPLICATIONS FOR EMPLOYMENT.

The Departmental organization for the registration and placement of unemployed Europeans, in 1937, comprised—

- (a) an Employment Exchange for clerical and semi-professional applicants, conducted by the Head Office of the Department at Pretoria;
- (b) Departmental Employment Exchanges at Pretoria, Johannesburg, Benoni, Krugersdorp, Bloemfontein, Kimberley, Durban, Pietermaritzburg, Cape Town, Port Elizabeth and East London under the control of Divisional Inspectors;
- (c) Employment Exchanges conducted by Welfare Officers at Ficksburg, Fauresmith, Kroonstad, Smithfield, Oudtshoorn, Springbok, George, Upington, Lichtenburg, Pietersburg, Nylstroom, Warrenton and Bloemhof;
- (d) one hundred and seventy-eight Post Office Employment Exchanges which undertook registration and placement work in districts not directly served by the Exchanges referred to under (a), (b) and (c).

Departmental Employment Exchanges for the registration and placement of Coloured applicants functioned at Cape Town and Kimberley, while the needs of Coloured persons at Johannesburg and Durban were catered for by subsidized exchanges. The Durban exchange also dealt with Indian applicants.

The following table shows the monthly average of unemployed European adult males registered in rural and urban areas during the years 1933-37:—

Year.	Rural Areas.	Urban Areas.	Totals.
1933.....	7,325	6,665	13,990
1934.....	5,655	5,222	10,877
1935.....	3,529	4,719	8,248
1936.....	2,033	3,873	5,906
1937.....	1,272	3,518	4,790

The total monthly average of persons seeking employment decreased by 20 per cent. compared with the previous year. It is interesting to note that a little more than one-third of the applicants were registered in rural areas, whereas in 1933 the number of applicants in rural areas represented more than half the total. The reduction in the numbers registered for work illustrates very clearly the effect of the continued improvement in economic conditions during 1937.

Particulars regarding the classification of European male adult applicants and the type of work in which they were placed are given in the appended tables. The figures relate to the month of January, 1937, and may be taken as representative of the position throughout the year. It will be observed that the great majority of the applicants dealt with by the Department were semi-skilled and unskilled workers.

	Skilled Artisans.		Clerical and semi-professional Workers.		Semi-skilled and unskilled Workers.	
	No.	Percentage of Total.	No.	Percentage of Total.	No.	Percentage of Total.
<i>Applications.</i>						
Urban Areas.....	440	10·8	279	6·8	3,368	82·4
Rural Areas.....	5	0·3	23	1·2	1,868	98·5
TOTALS.....	445	7·5	302	5·0	5,236	87·5
<i>Placements.</i>						
Urban Areas.....	120	8·3	36	2·5	1,296	89·2
Rural Areas.....	1	0·1	1	0·1	1,063	99·8
TOTALS.....	121	4·8	37	1·5	2,359	93·7

The percentage of applicants placed in work during 1937 was higher than in 1936, as indicated by the appended table:—

Class of Applicant.	Percentage of applicants placed.			
	1936.		1937.	
	Jan.	Dec.	Jan.	Dec.
Adult European Males—				
Urban Areas.....	27	38	35	39
Rural Areas.....	50	48	57	48
Adult European Females.....	24	23	19	26
European Boys.....	28	29	29	36
European Girls.....	25	35	39	36
Coloured Males.....	19	51	35	39
Coloured Females.....	51	91	39	40
ALL APPLICANTS.....	34	38	37	39

Those remaining unplaced at the end of the year consisted largely of applicants who were in some way or other lacking in either physical ability or educational qualification, with a small proportion of qualified applicants who would ordinarily be placed within a short period. As in previous years, difficulty was experienced in finding employment for the clerical and semi-professional type of applicant owing to the supply of this class of labour being far in excess of the demand. The Department placed 575 out of 3,186 applicants, and many of those not placed by the Department obtained work subsequent to registration.

Generally speaking, fully qualified tradesmen, especially in the building and engineering industries, experienced little difficulty in obtaining employment. In the furniture industry, however, some factories worked short time during the year.

PROVISION OF FREE TRANSPORT FOR PERSONS PLACED IN EMPLOYMENT.

The amounts disbursed by the Department in respect of the transport of persons placed in employment during the year ended 31st December, 1937, were as follows:—

To and from Forestry Settlements:—

Rail Transport	£4,969	18	7
Road Transport	641	13	4
To and from Government and Relief Works	4,339	19	5
To farm employment	65	3	2
To approved private employment (free transport)	82	7	2
On repayment (private employment)	113	10	5
Total	£10,212	12	1

Statements giving particulars of the registration and placement activities of the various Employment Exchanges will be found at the end of this chapter.

2. SPECIAL SERVICE BATTALION.

Owing to the continued improvement in the employment position, great difficulty was experienced in keeping the establishment of the Special Service Battalion up to strength. At the end of December, 1937, there was a shortage of 746 units below the authorised strength of 1,990, including the detachments at Cape Town and Durban. The advisability of lowering the minimum age for enlistment from 17 to 16 years was under consideration at the end of the year. The regulations governing the placement of Special Service Battalion youths into employment were amended by the Defence Force authorities during the year, and the ordinary minimum period of training prior to placement increased from six to nine months. In view of the satisfactory services rendered by youths from the Special Service Battalion, the Railway Administration has decided to establish a Railway Instruction School at Roberts Heights, where selected members of the Battalion will have the opportunity of qualifying for employment in various branches of Railway work.

The following tables reflect the number of youths admitted to the Battalion and show how they were disposed of, from the date of inception to the 31st December, 1937:—

A. Applications and Attestations, 1933 to 1937.

Province.	Number Called Up.	Number Attested.
Cape Province.....	5,221	3,832
Transvaal.....	5,235	3,956
Orange Free State.....	1,876	1,431
Natal.....	1,064	680
TOTALS.....	13,396	9,899

B. Discharges.

	1933-34.	1935.	1936.	1937.	Totals.
*Placed in employment.....	1,799	1,627	1,768	1,608	6,802
Refused work offered.....	11	19	12	7	49
Refused to reattest for employment.....	72	56	65	72	265
Refused to reattest or to accept employment...	9	53	53	33	148
Unsuitable for employment.....	8	—	76	13	97
Dismissed.....	1	4	11	11	27
Discharged at own request.....	10	3	8	50	71
Died.....	5	5	7	3	20
Discharged to continue studies.....	78	18	85	11	192
Discharged—Authority Adjutant-General.....	—	3	7	6	16
Time expired—No employment.....	2	13	8	1	24
TOTALS.....	1,995	1,801	2,100	1,815	7,711

* Roberts Heights Detachment only.

C. Particulars of Placements.

	1933-34.	1935.	1936.	1937.	Totals.
Railways.....	943	619	633	556	2,751
South African Permanent Force.....	479	335	510	714	2,038
Police.....	53	78	121	74	326
Prisons.....	39	65	101	58	263
Other Government Departments.....	50	83	79	41	253
Private employers.....	235	447	324	165	1,171
TOTALS.....	1,799	1,627	1,768	1,608	6,802

3. PIONEER BATTALION.

The difficulty experienced in maintaining the strength of the Special Service Battalion was more marked in the case of the Pioneer Battalion, which was established to assist unemployed youths not in possession of the minimum educational qualification (Standard VI) for admission to the first-mentioned body. Unskilled labouring work is to-day readily available to all physically fit men, and in these circumstances, the fact that the Battalion was 249 units short of its authorized establishment of 440 at the end of the year becomes understandable. As the Battalion was established to assist in the relief of unemployment, and the Department of Labour's contribution of half the cost was based solely on that consideration, the Secretary for Defence was advised that the Department would offer no objection to the disbandment of the Battalion. The Defence Force authorities decided, however, that the Battalion should remain in existence and negotiations in connection with future arrangements were being conducted between the Departments concerned at the end of the year.

The following statements reflect the position in regard to the admission of young men to the Battalion, and their subsequent disposal:—

A. Applications and Attestations.

Year.	Number Called up.	Number Attested.	Number Medically Unfit.	Number Called up but not Attested for various reasons.
1935.....	1,194	1,091	92	11
1936.....	753	681	71	1
1937.....	630	497	46	87
TOTALS.....	2,577	2,269	209	99

B. Discharges.

	1935.	1936.	1937.	Totals.
Placed in employment.....	287	612	466	1,365
Refused work offered, refused to reattest for employment and discharged at own request....	400	131	176	707
Dismissed.....	—	2	2	4
Died.....	3	3	—	6
Medically unfit.....	—	4	3	7
TOTALS.....	690	752	647	2,089

C. Particulars of Placements.

	1935.	1936.	1937.	Totals.
Railways.....	135	360	300	795
Special Service Battalion.....	18	39	21	78
S.A. Permanent Force.....	—	2	13	15
Discharged to Irrigation Works.....	60	66	6	132
Other Government Departments.....	23	43	28	94
Private employers.....	51	102	98	251
TOTALS.....	287	612	466	1,365

4. PROPOSED COLOURED TRAINING SCHEME.

The unemployment position among Coloureds in the large urban areas has been the cause of some concern to the Department, and in considering measures for alleviating the position the Department investigated the possibility of extending the training scheme which had been started at Kimberley by the Railway Administration for training young Coloured men for Railway employment. Enquiries made at Kimberley and information obtained from the Railway Administration showed that the suggested extension of the training scheme was feasible. At the end of the year negotiations were proceeding with the Railway Administration in regard to the basis on which the two Departments could co-operate in extending the scheme.

5. JUVENILES ACT, 1921.

(1) JUVENILE AFFAIRS BOARDS AND JUVENILE ADVISORY BOARDS.

Reference was made in the 1936 Report to a decision to establish ten additional Juvenile Affairs Boards in rural areas. Six of these Boards were set up during the year, so that at the close of 1937 Juvenile Affairs Boards functioned at Cape Town, Port Elizabeth, East London, Grahamstown, Kimberley, Upington, Bloemfontein, Johannesburg, Benoni, Krugersdorp, Pretoria, Rustenburg, Brits, Potchefstroom, Pietersburg, Durban, Pietermaritzburg and Ladysmith (Natal). Several Juvenile Affairs Boards have considered the advisability of the establishment of additional non-statutory Juvenile Advisory Boards in areas, not already served by boards, where such an institution would be beneficial to school-leavers seeking employment.

(2) JUVENILE EMPLOYMENT—GENERAL.

The juvenile employment position has been the most favourable experienced since the promulgation of the Juveniles Act in 1921, and the consequent establishment of statutory Juvenile Affairs Boards. Ten of the twelve boards which have been functioning for some years achieved placement figures which have at no time during their existence been equalled, while at one centre the unique position of having only one female applicant on the books at the close of the year was recorded. Towards the end of the year several boards could not nominate suitable candidates for vacancies notified to them, due to a shortage of qualified applicants. In some instances employers deferred the filling of vacancies until such time as selections could be made from among juveniles who left school towards the end of the year. The number of juveniles who registered for work during the year represented a decrease of 599, as compared with the registration figure for the previous year. Despite this drop in the number of applications handled, 780 more juveniles were placed in employment than during 1936. At the end of the year 1,444 juveniles who had sought the assistance of boards remained unplaced. Of these 1,444 juveniles, 795 registered for work at the end of the fourth school term in December, 1937, and could expect to be placed early in 1938. The remaining 649 had left school at the end of the previous year or earlier, and represented the unplaceable residue of applicants who sought work through boards during the year. A number of these juveniles were mentally or physically retarded, while others were not educationally qualified for the types of employment in which they might otherwise have

been placed. In so far as mentally and physically handicapped children are concerned, it is understood that the Union Department of Education and the Provincial Administrations are directing their attention to the necessity of providing specialized training for such children. This will tend to place them on a competitive basis with other labour ordinarily employed in occupations for which they might be fitted.

The following is a comparative table showing the number of juveniles registered with Juvenile Affairs Boards and placed in employment during the years 1926-1937:—

Year.	Applications Registered.	Juveniles Placed in Work.	Found Work Otherwise.	Total in Employment.	Balance of Registered Juveniles at December.	Per cent. of Registered Applicants Placed by Juvenile Affairs Boards.
1926-31.....	59,989	24,505	27,817	52,322	2,574	40·8
1932.....	9,505	3,148	1,722	4,870	2,792	33·1
1933.....	9,581	3,432	1,957	5,389	2,646	35·8
1934.....	9,372	4,059	3,260	7,319	1,530	43·3
1935.....	11,589	5,451	3,941	9,392	1,590	47·04
1936.....	13,085	6,876	3,799	10,675	1,832	52·5
1937.....	12,486	7,656	4,036	11,692	1,444	61·3

A detailed table of registrations and placements of juveniles will be found at the end of this chapter.

Juvenile Advisory Boards, doing work similar to that of Juvenile Affairs Boards, function in respect of the interests of Coloured juveniles at Capetown, Kimberley, Johannesburg and Durban. The activities of these Boards in respect of the registration and placement of juveniles are reflected in the figures printed at the end of this chapter.

(3) ADVISORY COMMITTEE OF JUVENILE AFFAIRS BOARDS.

Two meetings of the Advisory Committee of Juvenile Affairs Boards were held during the year, the one at Capetown and the other at Durban. This body acted as a co-ordinating link between the Department and boards, and rendered valuable services. The Chairman of the largest board in each of the four Provinces served on the Committee, while a fifth member represented the interests of Coloured Juvenile Advisory Boards. The establishment of this body has served a useful purpose in that it has brought about a mutual appreciation of the aims of the Department and the boards, and the difficulties with which both are faced.

(4) AVENUES OF EMPLOYMENT.

Agriculture.—The proposal to train boys for the occupation of farming, referred to in the last report, has formed the subject of discussions between the Departments of Lands, Agriculture, Union Education, Labour and the Provincial Administrations, which have assumed responsibility for the conduct of Vocational Agricultural Schools. Certain basic principles have been agreed upon, and the details were under consideration at the end of the year.

Domestic Service.—Domestic Service continued to offer a considerable field of employment for European girls, but this form of employment is extremely unpopular, so much so that it is not unusual to find girls who have undergone a course of training in domestic science and nursery nursing seeking employment in shops and factories. The question of popularising domestic service as a career for girls has at one time or other engaged the attention of all Juvenile Affairs Boards and most welfare and charitable organisations. Little has so far been achieved, but it is hoped that some of the prejudices against this form of employment will be removed if girls trained in domestic duties at the Training Centre to be established at Pretoria by the Department of Social Welfare are placed with selected mistresses under approved conditions of employment.

Industrial Occupations.—The occupations most sought after in industry were the designated trades offering an apprenticeship, and a special feature of the placement figures was the large number of boys placed in such occupations. During the years of economic depression the number of placements effected in designated trades was comparatively small, due to the fact that employers had a wide field from which to select their labour, and vacancies were filled as they occurred, without reference to the Boards. The revival of the employment market narrowed the field of selection, with the result that employers turned to Juvenile Affairs Boards to assist them in the recruitment of learners. Apart from employment in the designated trades, a number of juveniles were placed in unskilled and semi-skilled occupations in industry, and many of these will ultimately be offered apprenticeship.

Commercial and Clerical Occupations.—Vacancies which could not be filled towards the end of the year, due to a lack of suitable applicants, were almost entirely confined to the clerical occupations. The reason for this was that juveniles with the necessary educational qualifications readily found employment during the first half of the year. It is not uncommon for juveniles in possession of a Standard VI certificate to register for clerical work, and, while it is possible to place boys with that qualification as messengers or to divert them to other forms of employment, the matter assumes an entirely different aspect as far as girls are concerned. The field of employment open to them as shop assistants is a restricted one, while other forms of employment, such as domestic service and factory work, have only a limited appeal.

The following comparative statement of placements according to occupations refers to the month of December, 1936, but it may be taken as a reliable indication of the position throughout the year:—

Classification.	1936.		1937.	
	Applications.	Placements.	Applications.	Placements.
Industrial.....	463 (30%)	117 (25%)	461 (29%)	136 (23%)
Clerical.....	341 (22%)	129 (28%)	385 (24%)	132 (22%)
Messengers.....	206 (14%)	69 (15%)	251 (15%)	138 (24%)
Shop Assistants.....	116 (8%)	30 (7%)	183 (11%)	77 (13%)
Miscellaneous.....	391 (26%)	116 (25%)	340 (21%)	100 (18%)
TOTALS.....	1,517	461	1,620	583

(5) PUBLICITY.

No major publicity scheme was undertaken during the year, but the work of boards was constantly kept before the public and employers by the display of films, bioscope slides and posters. Publicity circulars were distributed to employers in all board areas, while two boards arranged for the broadcast of a series of talks on the activities of boards.

(6) VOCATIONAL GUIDANCE.

As a result of certain recommendations on the question of vocational guidance made by the Provincial Consultative Committee in 1935, the Transvaal, Cape and Orange Free State Education Departments have now taken active steps to afford guidance to juveniles while they are still at school. This is in accordance with the view often expressed by Juvenile Affairs Boards that children should receive informative vocational guidance during their school lives. The Natal Education Department has deferred action in the matter until such time as the report of the Natal Education Commission, recently published, can be considered. In so far as the work of boards is concerned, the main medium for disseminating vocational information is the "Careers Guide" published by the Witwatersrand Central Juvenile Affairs Board, and it is pleasing to record that the circulation figure increased from 9,000 to 11,000 copies per month during the year. A Pocket Dictionary of Employment giving thumb-nail sketches of occupations open to South African boys and girls was issued free of charge to schools, parents and juveniles seeking employment during the year, and the Cape Division Juvenile Affairs Board published its annual booklet, entitled "Careers to Success". Use was also made of vocational guidance films wherever circumstances permitted. Members and officials of the various boards again visited schools in their respective areas, as is customary towards the end of each year, with a view to meeting intending school-leavers and discussing their future careers with them.

(7) CLUBS FOR JUVENILES.

The proposals referred to in the previous report, that is, to establish Boys' Clubs at Benoni, Pietermaritzburg and Bloemfontein, were carried into effect during the year. These clubs, including those at Pretoria and East London, aim at keeping juveniles off the streets and affording employment officers the opportunity of studying their aptitudes, characters and needs. Satisfactory work is being performed on this basis. The Kimberley Juvenile Affairs Board submitted a proposal for the establishment of a Girl's Club, which was under consideration at the end of the year.

DE DURING 1937.

	N.		DURBAN.				TOTALS.			
	ents.		A.	Placements.			A.	Placements.		
	A.	T.		P.	Pu.	T.		P.	Pu.	T.
1937.										
January.....	643	37	334	22	83	105	4,016	194	1,206	1,400
February.....	665	80	285	15	102	117	4,005	202	1,153	1,355
March.....	639	52	317	25	80	105	3,897	227	1,480	1,707
April.....	673	123	306	35	60	95	3,860	235	1,276	1,529
May.....	647	45	249	20	52	72	3,125	189	844	1,033
June.....	659	22	312	29	94	123	3,542	206	1,290	1,496
July.....	639	33	261	27	81	108	3,677	154	1,478	1,632
August.....	711	67	263	31	74	105	3,618	157	1,463	1,620
September.....	564	42	286	26	106	132	3,497	216	1,134	1,350
October.....	566	45	274	16	86	102	3,228	206	974	1,180
November.....	531	26	297	20	124	144	3,178	226	990	1,216
December.....	577	17	258	24	54	78	2,575	179	839	1,018

AVERA

1937.....	626	49	287	—	—	107	3,518	—	—	1,378
1936.....	625	42	339	—	—	113	3,873	—	—	1,271
1935.....	643	73	461	—	—	169	4,719	—	—	1,247
1934.....	1,421	104	106	—	—	44	5,222	—	—	1,342

L EXCHANGES.

1937.										
January.....	319	29	85*	4	56	60	1,951	15	1,093	1,108
February.....	214	15	76	3	56	59	1,765	14	1,009	1,023
March.....	286	23	78	4	45	49	1,525	5	844	849
April.....	287	27	69	1	45	46	1,397	3	692	695
May.....	287	25	82	6	62	68	1,338	12	706	718
June.....	262	42	68	1	46	47	1,453	8	791	799
July.....	252	52	41	2	25	27	1,274	8	702	710
August.....	186	26	92	2	58	60	1,364	34	692	726
September.....	7	17	47	4	24	28	591	8	296	304
October.....	83	26	57	—	36	36	896	22	412	434
November.....	109	19	32	1	23	24	941	4	477	481
December.....	113	13	39	—	24	24	770	7	360	367

AVERA

1937.....	199	26	64	—	—	44	1,272	—	—	685
1936.....	213	48	157	—	—	69	2,033	—	—	941
1935.....	343	46	200	—	—	101	3,529	—	—	1,491
1934.....	2,630	48	395	—	—	120	5,655	—	—	1,838

1937.										
January.....	189	16	219	27	—	27	907	170	—	170
February.....	187	12	182	18	—	18	850	149	—	149
March.....	207	11	184	26	—	26	803	159	—	159
April.....	182	13	191	24	—	24	828	191	—	191
May.....	153	8	171	16	—	16	726	143	—	143
June.....	152	10	197	32	—	32	864	246	—	246
July.....	131	16	153	25	—	25	714	167	—	167
August.....	101	11	144	21	—	21	573	175	—	175
September.....	137	21	107	31	—	31	579	161	—	161
October.....	97	9	102	30	—	30	612	177	—	177
November.....	109	17	106	27	—	27	644	170	—	170
December.....	61	5	96	24	—	24	508	132	—	132

AVERA

1937.....	14	12	155	—	—	25	717	—	—	170
1936.....	21	8	196	—	—	16	855	—	—	189

6. STATEMENT SHOWING THE NUMBER OF PERSONS REGISTERED AT EMPLOYMENT EXCHANGES AND PLACEMENTS MADE DURING 1937.

1. ADULT EUROPEAN MALES—DEPARTMENTAL EXCHANGES.

	PRETORIA.				WITWATERSRAND.				BLOEMFONTEIN.				KIMBERLEY.				CAPETOWN.				PORT ELIZABETH.				EAST LONDON.				DURBAN.				TOTALS.			
	A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.		
		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.
1937.																																				
January.....	643	4	394	398	1,486	108	363	471	181	2	56	58	141	—	103	103	668	47	144	191	378	5	32	37	185	6	31	37	334	22	83	105	4,016	194	1,206	1,400
February.....	667	15	354	369	1,623	100	333	433	173	1	70	71	89	—	67	67	695	57	122	179	269	9	30	39	204	5	75	80	285	15	102	117	4,005	202	1,153	1,355
March.....	638	3	405	408	1,442	129	448	577	200	3	98	101	99	—	78	78	771	56	302	358	244	8	20	28	186	3	49	52	317	25	80	105	3,897	227	1,480	1,707
April.....	672	23	392	415	1,431	117	369	486	176	11	73	84	98	4	94	98	741	51	130	181	231	7	40	47	205	5	118	123	306	35	60	95	3,860	235	1,276	1,529
May.....	647	7	339	346	1,113	88	193	281	131	7	48	55	70	3	38	41	584	44	116	160	183	15	18	33	148	5	40	45	249	20	52	72	3,125	189	844	1,033
June.....	658	3	491	494	1,258	73	307	380	204	7	116	123	66	4	54	58	648	74	179	253	291	14	29	43	105	2	20	22	312	29	94	123	3,542	206	1,290	1,496
July.....	635	3	477	480	1,504	78	581	659	184	4	116	120	78	—	57	57	624	35	99	134	249	4	37	41	142	3	30	33	261	27	81	108	3,677	154	1,478	1,632
August.....	715	4	490	494	1,351	63	508	571	185	5	92	97	121	6	98	104	577	33	103	136	259	9	37	46	147	6	61	67	263	31	74	105	3,618	157	1,463	1,620
September.....	564	—	370	370	1,412	119	333	452	181	5	65	70	61	—	18	18	641	52	160	212	247	6	48	54	105	8	34	42	286	26	106	132	3,497	216	1,134	1,350
October.....	566	4	308	312	1,335	95	291	386	167	15	100	115	81	1	41	42	507	55	97	152	208	10	16	26	90	10	35	45	274	16	86	102	3,228	206	974	1,180
November.....	531	3	348	351	1,351	120	269	389	166	3	103	106	66	—	29	29	491	59	91	150	184	12	9	21	92	9	17	26	297	20	124	144	3,178	226	990	1,216
December.....	572	4	365	369	1,015	82	199	281	113	2	62	64	55	—	13	13	386	57	108	165	129	8	21	29	47	—	17	17	258	24	54	78	2,575	179	839	1,018

AVERAGE MONTHLY TOTALS.

1937.....	626	—	—	400	1,360	—	—	447	172	—	—	92	85	—	—	59	611	—	—	189	239	—	—	37	138	—	—	49	287	—	—	107	3,518	—	—	1,378
1936.....	625	—	—	291	1,504	—	—	481	164	—	—	82	92	—	—	60	694	—	—	154	300	—	—	48	155	—	—	42	339	—	—	113	3,873	—	—	1,271
1935.....	643	—	—	253	1,855	—	—	359	192	—	—	87	76	—	—	49	914	—	—	169	382	—	—	88	195	—	—	73	461	—	—	169	4,719	—	—	1,247
1934.....	1,421	—	—	290	798	—	—	319	1,273	—	—	141	666	—	—	192	326	—	—	141	378	—	—	111	284	—	—	104	106	—	—	44	5,222	—	—	1,342

2. ADULT EUROPEAN MALES—POST OFFICE EXCHANGES AND SOCIAL WELFARE COMMITTEES, CONTROLLED FROM THE ABOVE DEPARTMENTAL EXCHANGES.

1937.																																				
January.....	319	4	229	233	504	—	251	251	154	5	91	96	320	1	253	254	257	—	128	128	236	1	56	57	76	—	29	29	85*	4	56	60	1,951	15	1,093	1,108
February.....	214	—	131	131	405	—	186	186	213	1	132	133	263	—	216	216	307	9	148	157	219	—	126	126	68	1	14	15	76	3	56	59	1,765	14	1,009	1,023
March.....	286	—	188	188	334	—	137	137	119	—	80	80	116	—	106	106	285	—	148	148	251	1	117	118	56	—	23	23	78	4	45	49	1,525	5	844	849
April.....	282	2	126	128	258	—	141	141	246	—	143	143	129	—	112	112	110	—	50	50	235	—	48	48	68	—	27	27	69	1	45	46	1,397	3	692	695
May.....	287	3	144	147	191	—	119	119	118	3	74	77	127	—	109	109	227	—	91	91	247	—	82	82	59	—	25	25	82	6	62	68	1,338	12	706	718
June.....	261	3	123	126	204	—	134	134	115	—	75	75	132	—	104	104	233	—	124	124	306	4	143	147	134	—	42	42	68	1	46	47	1,453	8	791	799
July.....	252	1	154	155	225	—	122	122	130	1	106	107	137	—	90	90	194	4	42	46	217	—	111	111	78	—	52	52	41	2	25	27	1,274	8	702	710
August.....	180	—	102	102	372	—	214	214	136	19	92	111	83	3	58	61	221	2	47	49	221	8	95	103	59	—	26	26	92	2	58	60	1,364	34	692	726
September.....	6	2	—	2	216	—	109	109	76	2	32	34	94	—	85	85	15	—	7	7	59	—	22	22	78	—	17	17	47	4	24	28	591	8	296	304
October.....	85	8	16	24	244	6	111	117	123	2	64	66	143	—	105	105	65	—	27	27	88	6	27	33	91	—	26	26	57	—	36	36	896	22	412	434
November.....	109	1	35	36	235	—	163	163	162	2	83	85	120	—	97	97	78	—	18	18	138	—	39	39	67	—	19	19	32	1	23	24	941	4	477	481
December.....	113	—	78	78	204	—	105	105	98	6	28	34	127	—	77	77	48	—	18	18	67	1	17	18	74	—	13	13	39	—	24	24	770	7	360	367

AVERAGE MONTHLY TOTALS.

1937.....	199	—	—	112	283	—	—	150	141	—	—	87	149	—	—	118	170	—	—	72	190	—	—	75	76	—	—	26	64	—	—	44	1,272	—	—	685
1936.....	213	—	—	124	654	—	—	287	170	—	—	87	257	—	—	184	284	—	—	81	206	—	—	61	92	—	—	48	157	—	—	69	2,033	—	—	941
1935.....	343	—	—	205	1,127	—	—	477	291	—	—	133	318	—	—	131	682	—	—	277	443	—	—	120	126	—	—	46	200	—	—	101	3,529	—	—	1,491
1934.....	2,630	—	—	927	238	—	—	132	745	—	—	218	217	—	—	87	466	—	—	132	738	—	—	174	226	—	—	48	395	—	—	120	5,655	—	—	1,838

3. ADULT EUROPEAN FEMALES—DEPARTMENTAL EXCHANGES.

1937.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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AVERAGE MONTHLY											
1936.....	217	—	8	196	—	—	16	855	—	—	189

		TOTALS.			
Juveniles.		Adults.		Juveniles.	
A.	P.	A.	P.	A.	P.
—	—	901	307	132	53
—	—	838	251	105	46
—	—	669	216	78	44
6	1	874	191	79	42
8	2	787	171	67	41
17	7	966	248	78	36
17	1	788	213	122	44
16	2	703	201	145	58
18	4	700	192	153	51
18	1	765	225	150	45
13	5	913	306	109	59
13	6	560	225	109	41

7

3. ADULT EUROPEAN FEMALES—DEPARTMENTAL EXCHANGES.

3. ADULT EUROPEAN FEMALES—DETENTIONED.																																				
	PRETORIA.				WITWATERSRAND.				BLOEMFONTEIN.				KIMBERLEY.				CAPETOWN.				PORT ELIZABETH.				EAST LONDON.				DURBAN.				TOTALS.			
	A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.			A.	Placements.						
		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.		P.	Pu.	T.	P.	Pu.	T.	
1936.	235	37	—	37	311	109	—	109	38	7	—	7	24	3	—	3	101	54	—	54	44	7	—	7	36	8	—	8	219	18	—	18	1,008	243	—	243
January.....	240	22	—	22	230	70	—	70	42	2	—	2	44	1	—	1	82	30	—	30	44	9	—	9	43	2	—	2	230	12	—	12	955	148	—	148
February.....	377	19	—	19	210	96	—	96	34	3	—	3	49	1	—	1	102	41	—	41	31	5	—	5	29	3	—	3	250	22	—	22	1,082	190	—	190
March.....	215	29	—	29	193	93	—	93	31	2	—	2	52	—	—	—	72	42	—	42	31	3	—	3	32	5	—	5	256	19	—	19	882	193	—	193
April.....	220	26	—	26	179	73	—	73	27	2	—	2	63	—	—	—	86	30	—	30	21	3	—	3	33	9	—	9	230	19	—	19	859	162	—	162
May.....	223	26	—	26	224	118	—	118	21	—	—	—	65	3	—	3	94	32	—	32	32	5	—	5	25	2	—	2	240	15	—	15	924	201	—	201
June.....	190	29	—	29	208	96	—	96	26	1	—	1	71	1	—	1	109	41	—	41	42	5	—	5	31	4	—	4	208	14	—	14	885	191	—	191
July.....	220	30	—	30	237	92	—	92	28	2	—	2	63	1	—	1	78	33	—	33	25	4	—	4	51	15	—	15	198	16	—	16	900	193	—	193
August.....	200	45	—	45	164	86	—	86	35	2	—	2	73	—	—	—	85	25	—	25	71	10	—	10	46	15	—	15	198	6	—	6	680	185	—	185
September.....	183	65	—	65	137	83	—	83	39	6	—	6	61	1	—	1	71	43	—	43	83	10	—	10	31	14	—	14	198	18	—	18	803	240	—	240
October.....	188	56	—	56	123	51	—	51	28	3	—	3	73	1	—	1	67	42	—	42	44	9	—	9	25	4	—	4	183	28	—	28	731	194	—	194
November.....	115	23	—	23	64	44	—	44	34	4	—	4	90	—	—	—	51	23	—	23	23	7	—	7	32	12	—	12	139	11	—	11	548	124	—	124

AVERAGE MONTHLY TOTAL.

1936.....	217	—	—	34	190	—	—	84	32	—	—	3	61	—	—	1	83	—	—	36	41	—	—	6	35	—	—	8	196	—	—	16	855	—	—	189
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A.=Applications. P.=Private. Pu.=Public and Government. T.=Total.

4. ADULT AND JUVENILE COLOURED MALES—DEPARTMENTAL AND SUBSIDIZED EXCHANGES.

23-24

	DEPARTMENTAL.								SUBSIDIZED.								TOTALS.			
	CAPETOWN.				KIMBERLEY.				WITWATERSRAND.				DURBAN.				TOTALS.			
	Adults.		Juveniles.		Adults.		Juveniles.		Adults.		Juveniles.		Adults.		Juveniles.		Adults.		Juveniles.	
	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.
1937.	718	272	79	49	164	25	12	—	19	10	41	4	—	—	—	—	901	307	132	53
January.....	706	234	74	42	107	6	12	—	25	11	19	4	—	—	—	—	838	251	105	46
February.....	517	113	57	41	121	86	12	1	31	17	9	2	—	—	—	—	669	216	78	44
March.....	662	154	54	37	31	8	12	1	43	18	7	3	138	11	6	1	874	191	79	42
April.....	551	124	41	35	43	10	11	—	37	22	7	4	156	15	8	2	787	171	67	41
May.....	642	115	43	29	101	63	12	—	27	17	6	—	196	53	17	7	966	248	78	36
June.....	611	142	64	29	53	34	11	—	36	15	30	14	88	22	17	1	788	213	122	44
July.....	444	123	84	42	61	21	13	1	69	14	32	13	129	43	16	2	703	201	145	58
August.....	437	114	98	37	61	30	12	2	71	15	25	8	131	33	18	4	700	192	153	51
September.....	478	148	92	37	76	53	11	2	25	10	29	5	186	14	18	1	765	225	150	45
October.....	637	226	63	46	48	9	12	2	53	14	21	6	175	57	13	5	913	306	109	59
November.....	409	173	65	30	47	15	15	3	45	11	16	2	59	26	13	6	560	225	109	41
December.....																				

5. ADULT AND JUVENILE COLOURED FEMALES—DEPARTMENTAL AND SUBSIDIZED EXCHANGES.

1937.	144	98	122	15	2	—	—	—	34	20	49	3	—	—	—	—	180	118	171	18
January.....	153	76	146	32	4	1	—	—	22	16	37	3	—	—	—	—	179	93	183	35
February.....	135	67	154	17	4	1	—	—	26	13	23	3	—	—	—	—	165	81	177	20
March.....	142	79	154	114	4	—	—	—	25	19	16	1	10	3	—	—	181	101	170	115
April.....	132	68	155	12	4	—	—	—	16	11	16	2	7	1	1	—	159	80	172	14
May.....	172	69	134	14	4	1	1	—	29	12	17	—	15	7	3	1	220	89	155	15
June.....	173	66	159	17	4	—	—	—	13	10	19	1	8	5	2	1	195	81	181	19
July.....	188	108	143	11	5	—	1	—	10	12	5	2	18	13	3	2	221	133	152	15
August.....	153	108	118	5	5	—	3	2	13	9	8	2	11	3	4	3	182	120	133	12
September.....	140	64	135	16	4	—	1	—	9	8	8	—	30	15	2	—	183	87	146	16
October.....	131	73	109	17	3	—	1	—	17	12	7	2	16	3	6	3	167	88	123	22
November.....	77	48	79	13	4	—	3	1	7	3	5	—	5	6	3	2	93	57	90	16
December.....																				

A. Applications.

P. Placements.

1937. Month.		WITWATERSRAAT.		N.		KIMBERLEY.				TOTAL.			
		A.		P.		A.		P.		A.		P.	
January		540		13		18		2		1,450		433	
February		386		10		5		11		879		469	
March		339		13		5		10		609		482	
April		390		9		5		5		689		552	
May		311		18		6		10		539		479	
June		299		12		3		8		589		528	
July		372		14		9		8		651		472	
August		332		11		8		5		592		454	
September		345		23		4		2		523		469	
October		275		6		4		4		487		45	
November		326		9		7		2		546		387	
December		474		6		24		4		1,152		411	
		4,389		144		98		71		8,706		5,551	
January		191		9		—		2		578		223	
February		119		12		4		—		423		163	
March		87		4		7		—		282		200	
April		103		6		8		—		272		183	
May		73		6		2		14		213		170	
June		86		2		5		4		249		190	
July		111		2		5		—		242		150	
August		120		3		1		—		266		149	
September		103		5		4		3		243		164	
October		101		6		3		2		234		142	
November		168		8		5		9		310		199	
December		158		5		8		5		468		172	
		1,420		68		52		39		3,780		2,105	
Month.	Year.	WITWATERSRAAT.			P.	KIMBERLEY.				TOTAL.			
		A.		B.		A.		P.		A.		P.	
		B.	G.			B.	G.	B.	G.	B.	G.	B.	G.
July	1923	170	42	18	—	35	13	16	—	573	264	78	36
July	1924	80	60	17	—	16	5	5	1	316	208	77	44
July	1925	151	113	29	2	7	1	9	1	617	396	147	65
July	1926	239	86	76	4	8	14	2	1	788	501	219	94
July	1927	261	119	98	1	16	5	8	4	636	351	252	118
July	1928	292	163	95	1	8	12	11	1	601	338	221	87
July	1929	155	149	88	5	5	6	3	2	275	263	233	119
July	1930	162	141	68	—	4	7	10	3	390	301	174	124
July	1931	150	137	69	—	6	—	5	4	344	281	165	76
July	1932	149	72	46	—	10	2	9	1	351	218	119	77
July	1933	135	120	73	3	4	6	—	1	344	335	178	144
July	1934	49	53	62	8	7	7	—	—	334	225	183	109
July	1935	242	123	106	3	3	2	2	—	464	278	239	143
July	1936	325	85	262	2	5	—	1	—	604	240	483	161
July	1937	372	111	231	2	9	5	8	—	651	242	472	150

6. STATEMENT SHOWING THE NUMBER OF JUVENILES REGISTERED WITH AND PLACEMENTS EFFECTED BY JUVENILE AFFAIRS BOARDS.
(a) *European Boys.*

1937. Month.	WITWATERSRAND.		PRETORIA.		CAPETOWN.		DURBAN.		BLOEMFONTEIN.		PORT ELIZABETH.		EAST LONDON.		KIMBERLEY.		TOTAL.	
	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.	A.	P.
January.....	540	175	115	56	334	101	224	60	45	8	99	18	75	13	18	2	1,450	433
February.....	386	220	76	61	159	82	153	67	24	7	43	11	33	10	5	11	879	469
March.....	339	210	34	83	85	61	85	81	11	10	25	14	25	13	5	10	609	482
April.....	390	255	73	103	66	58	75	80	27	7	37	22	16	9	5	5	689	552
May.....	311	225	79	77	51	45	42	82	7	10	15	12	28	18	6	10	539	479
June.....	299	215	118	126	48	59	66	82	13	13	24	13	18	12	3	8	589	528
July.....	372	231	81	75	59	50	77	74	14	12	20	8	19	14	9	8	631	472
August.....	332	237	88	65	39	37	54	66	25	13	20	20	26	11	8	5	592	454
September.....	345	247	37	60	32	47	58	55	11	16	18	19	25	6	4	4	487	45
October.....	275	219	68	54	29	31	59	54	14	18	13	9	21	9	7	2	546	387
November.....	326	193	93	89	21	30	56	45	13	13	9	6	81	9	24	4	1,152	411
December.....	474	194	137	88	266	63	64	31	16	16	90	9						
	4,389	2,621	999	957	1,189	664	1,013	777	220	156	413	161	385	144	98	71	8,706	5,551

(b) *European Girls.*

January.....	191	80	87	33	86	42	122	41	15	11	34	5	43	9	—	2	578	223
February.....	119	64	70	13	93	38	70	27	12	1	21	8	34	12	4	—	423	163
March.....	87	105	55	14	45	24	51	33	8	3	12	7	17	4	7	—	282	200
April.....	103	92	37	11	52	26	41	37	5	4	13	17	13	6	8	—	272	183
May.....	73	68	48	31	36	14	32	24	5	7	8	6	9	6	2	14	213	170
June.....	86	81	53	18	29	28	38	37	17	13	11	7	10	2	5	4	249	190
July.....	111	75	45	10	32	23	26	25	7	12	6	3	10	2	5	—	242	150
August.....	120	66	34	16	34	22	35	29	13	3	14	10	15	3	1	—	266	149
September.....	103	68	38	15	33	20	36	40	6	7	10	6	13	5	4	3	243	164
October.....	101	60	36	6	28	20	36	36	4	5	12	7	22	6	3	2	234	142
November.....	168	104	37	10	17	21	30	31	8	6	10	10	35	8	5	9	310	199
December.....	158	77	68	14	94	28	39	21	20	12	33	10	48	5	8	5	468	172
	1,420	940	608	191	579	306	548	381	120	84	184	96	269	68	52	39	3,780	2,105

A. Applications. P. Placements.

7. COMPARATIVE STATEMENT OF APPLICATIONS FOR EMPLOYMENT AND PLACEMENTS MADE—EUROPEAN BOYS AND GIRLS.
Juvenile Affairs Boards.

Month.	Year.	WITWATERSRAND.				PRETORIA.				CAPETOWN.				DURBAN.				BLOEMFONTEIN.				PORT ELIZABETH.				EAST LONDON.				KIMBERLEY.				TOTAL.			
		A.		P.		A.		P.		A.		P.		A.		P.		A.		P.		A.		P.		A.		P.		A.		P.		A.		P.	
		B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.	B.	G.
July.....	1923	170	42	18	20	39	12	18	4	236	162	15	5	65	27	10	6	28	8	1	1	—	—	—	—	—	—	—	—	35	13	16	—	573	264	78	36
July.....	1924	80	60	17	21	35	16	7	4	103	60	26	6	61	37	15	2	7	5	1	—	14	25	6	10	—	—	—	—	16	5	5	1	316	208	77	44
July.....	1925	151	113	29	21	101	46	15	4	138	74	27	11	132	93	43	17	23	23	5	3	25	31	10	6	40	15	9	2	7	1	9	1	617	396	147	65
July.....	1926	239	86	76	43	84	36	19	11	239	204	42	9	119	114	31	17	15	5	5	1	47	28	28	8	37	14	16	4	8	14	2	1	788	501	219	94
July.....	1927	261	119	98	53	46	28	36	9	93	38	28	11	97	113	28	28	29	8	15	3	76	33	28	9	18	7	11	1	16	5	8	4	636	351	252	118
July.....	1928	292	163	95	48	22	15	27	7	97	47	57	12	87	42	5	12	14	6	7	3	61	44	11	3	20	9	8	1	8	12	11	1	601	338	221	57
July.....	1929	155	149	88	52	19	24	25	6	32	22	58	10	33	41	23	29	4	—	9	2	22	19	17	13	5	2	10	5	5	6	3	2	275	263	233	119
July.....	1930	162	141	68	71	49	27	16	4	66	43	42	25	54	26	16	6	6	8	9	6	25	32	9	9	24	17	4	—	4	7	10	3	390	301	174	124
July.....	1931	150	137	69	37	38	25	14	4	51	48	27	17	43	25	34	11	7	7	5	3	36	31	5	—	13	8	6	—	6	—	5	4	344	281	165	76
July.....	1932	149	72	46	44	53	27	9	3	42	48	16	8	47	29	31	17	15	5	1	1	20	22	2	3	15	13	5	—	10	2	9	1	351	218	119	77
July.....	1933	135	120	73	77	52	31	11	5	44	34	28	29	47	25	28	4	14	52	14	3	40	50	8	22	8	17	6	3	4	6	—	—	334	225	183	109
July.....	1934	49	53	62	40	36	34	31	12	75	19	20	19	53	44	38	12	48	10	19	3	48	31	10	15	18	27	3	8	7	7	—	—	464	278	239	143
July.....	1935	242	123	106	64	34	32	24	8	65	32	35	28	65	46	54	31	22	3	6	1	20	21	7	8	13	19	5	3	3	2	—	—	604	240	483	161
July.....	1936	325	85	262	69	62	38	61	7	64	43	50	37	69	33	77	35	28	7	13	2	34	11	7	9	17	23	12	2	5	—	1	—	651	242	472	150
July.....	1937	372	111	231	75	81	45	75	10	59	32	50	23	77	26	74	25	14	7	12	12	20	6	8	3	19	10	14	2	9	5	8	—				

A.=Applications. P.=Placements B.=Boys. G.=Girls.

CHAPTER III.

SOCIAL WELFARE WORK.

1. INTRODUCTION.

Responsibility for the conduct of the activities described in this chapter was assumed by the newly-created Department of Social Welfare on the 1st October, 1937, but the Secretary of that Department has agreed that, in order to preserve continuity of record, particulars in respect of the whole of the year 1937 should be included in the Department of Labour's annual report.

The Church-State scheme of co-operation, details of which were fully set out in previous reports, continued to function satisfactorily. It was decided during the year to appoint, as an experiment, six female social workers at the following centres, viz., Middelburg (Transvaal), Potchefstroom, Graaff-Reinet, Rustenburg, Port Elizabeth and Riversdale. The experience gained has indicated that there was justification for the experiment and that there is a definite need for trained social workers.

2. RURAL REHABILITATION AND HOUSING SCHEME.

The Scheme was fully described in previous reports.

“ BYWONERS ”.

The extent of the assistance given in respect of “ bywoners ”, farm overseers and assistants since the Scheme came into operation is shown by the following figures:—

	From April, 1934 to 31/12/36.	From 1/1/37 to 31/12/37.	Total.
Applications Received—			
Building grants.....	7,492	2,334	9,826
Sustenance allowances.....	4,152	1,000	5,152
Transport.....	218	44	262
Applications Approved—			
Building grants.....	3,687	1,497	5,184
Sustenance allowances.....	2,136	488	2,624
Transport.....	133	20	153
Applications Rejected—			
Building grants.....	2,404	813	3,217
Sustenance allowances.....	1,653	493	2,146
Transport.....	36	15	51
Applications Withdrawn—			
Building grants.....	478	613	1,091
Sustenance allowances.....	205	285	490
Transport.....	16	12	28

The following applications were under consideration:—

	At 1st January, 1937.	At 1st January, 1938.
Building grants.....	923	334
Sustenance allowances.....	158	—
Transport.....	33	30

The number of “ bywoners ” farm overseers and assistants in respect of whom financial assistance was authorized and the number employed on farms under this Scheme as at 31st December, 1937, was as follows:—

	Assistance Authorised.	Employed.
Cape Province.....	1,582	1,479
Orange Free State.....	1,792	1,647
Transvaal.....	2,487	2,293
Natal.....	82	82
TOTAL.....	5,943	5,501

FARM OWNERS.

The total number of applications for building grants from needy small-farm owners, viz., 10,852 exceeded the corresponding total in respect of "bywoners" (9,826). The following table shows how the applications under the Scheme to assist needy small farmers were dealt with:—

	From October, 1936 to 31st Dec., 1936.	From 1st Jan., 1937 to 31st Dec., 1937.	Total.
Applications received.....	7,433	3,419	10,852
Applications approved.....	2,847	2,820	5,667
Applications rejected.....	3,070	1,110	4,180
Applications withdrawn.....	174	171	345
Applications under consideration at—			
1st January, 1937.....	—	—	1,342
1st January, 1938.....	—	—	660

PAYMENTS.

Particulars of the total payments authorized since the inception of the Scheme to 31st December, 1937, are as follows:—

	£	s.	d.
Building Grants.....	328,112	2	9
Sustenance Allowance for bywoners, etc.....	37,513	8	3

Building Materials.—The amended conditions in regard to the supply of building materials, introduced in 1936, had the effect of reducing to a minimum the complaints from suppliers of materials. The Department continued to encounter difficulty, however, in endeavouring to ensure compliance on the part of farmers with the regulations governing the scheme. Farmers are required to order building material within three months from the date of the grant, and to complete the building of, or repairs or additions to the house within two months from the date of delivery of the material. If the applicant is unable to comply with these conditions, he is requested to advise the Department accordingly, so that the grant may be cancelled. The applicant is then advised to renew his request for assistance when he is in a position to carry out the building operations within the time limit imposed. This method of procedure was introduced towards the end of the year with a view to minimising the number of cases in which building material was ordered but remained unused for unreasonably long periods. As the Department pays suppliers' accounts within sixty days of delivery of material, every effort is made to ensure that the material is incorporated in the approved buildings within the prescribed time limit of two months.

Owing to the increase in the prices of building material the maximum grant of £50 was raised to £55 in cases where a new house was to be erected. This concession was made only to an applicant who had submitted his application before the increase in prices commenced provided the applicant was in no way responsible for the delay in disposing of his application.

As in previous years, the Department was called upon to deal with a number of cases where applicants anticipated grants and ordered building materials as soon as they had completed and submitted application forms. The Department has consistently refused to pay for material ordered without prior authority, as confusion would arise were unauthorized action of this sort to be condoned.

General Remarks.—It is perhaps advisable to re-state the principal objects of the Rural Rehabilitation and Housing Scheme, as cases frequently arise in which the temporary financial benefit of a sustenance allowance appears to be the chief factor in inducing "bywoners" and others to submit applications. The sustenance allowance is granted only for a limited period, and is intended to enable the "bywoner" to make a living until he can reap his first crops. It is, of course, impossible to ensure beforehand that all applicants have a genuine desire, and the necessary will power and stamina to rehabilitate themselves on the land. Another most important factor is the extent to which the conditions of service offered by the farm owner afford a reasonable opportunity of advancement. The mere payment of a sustenance allowance and the provision of housing accommodation will not effect the rehabilitation of the "bywoner" and his family unless the conditions of employment offer the necessary incentive and encouragement. In many instances, the Department has felt it necessary to insist that any financial assistance granted by the State should be dependent upon improved conditions of service being offered by the farm owner. Unfortunately cases have occurred in which farm owners have apparently overlooked the fact that Europeans can hardly be expected to rehabilitate themselves under conditions of employment which necessitate a standard of living little better than that of the native, with no prospects of improvement. Had the Department not entertained hopes of stopping the influx to the towns and of eventually rehabilitating the children of such bywoner families in a more suitable environment, with the assistance of various other state-aided schemes, very many more offers to place "bywoners" would have been refused. It is hoped that more well established farm owners will come forward in future in order to assist the State in its endeavour to rehabilitate the poorer members of the European farming population.

3. SCHEME FOR ASSISTING NEEDY PHYSICALLY UNFIT EUROPEANS.

The Scheme as amended during the year is now applicable to needy European persons over the age of 16 years who on account of physical or mental disabilities are permanently unfit to undertake remunerative employment. In all cases where there is doubt whether an applicant is unfit to undertake employment the applicant is required to register his name at an employment exchange and to remain in touch with that exchange for a period of not less than three months, while investigations are made by the Department of Labour to ascertain whether suitable work can be obtained. An applicant who refuses to accept work offered is not eligible for assistance. The Scheme is not applicable to—

- (1) persons, such as the chronic sick, mentally defective or consumptives, who require continuous nursing or medical attention and for whom accommodation is available at a recognised institution;
- (2) persons who are in receipt of old age pensions or any other state pensions or allowances, including in the case of farmers and "bywoners", assistance from the Government for the purchase of Land, Stock, or Buildings, or who are in receipt of an income from any source of £2. 10s. per month or more, or for whom other similar provision already exists;
- (3) blind persons, for whom special provision has been made under the Blind Persons Act, 1936;
- (4) children who can be assisted in accordance with the provisions of the Children's Act, 1937;
- (5) persons whose near relations (e.g. parents or children) are in a position to provide for them;
- (6) unfit married women, resident with their husbands, except when the latter are in receipt of old age pensions or grants under this Scheme;
- (7) European persons who are not Union Nationals, unless they have been ordinarily resident in the Union for ten out of fifteen years immediately preceding the date of application.

The Scheme is administered by the Department of Social Welfare through district committees. A district committee representing local charitable and social welfare organisations and churches has been established in each magisterial district and all applications for assistance are made to the district committee, which forwards them with a recommendation to the Secretary for Social Welfare. At the inception of this Scheme committees were required to forward the applications of parents with children under 16 years of age to the Magistrate with a view to the question of assistance under the Children's Act being considered before grants were made under the Invalidity Scheme. This arrangement caused a great deal of confusion and delay and during the year it was, therefore, decided to abolish it and committees were requested to deal with such applications in the ordinary manner.

After consideration of all the relative factors the Secretary for Social Welfare may approve a grant not exceeding £2. 10s. per person per month for a maximum period of 12 months. Such grants are paid through Postmasters on or after the third day of the month succeeding that for which the grants are payable. Unless otherwise authorized payments are made to the applicants personally.

The number of applications received during the year 1937, totalled 8,376 and grants were made in 4,335 cases. At the close of the year 3,902 of these grants were still in operation. Seventy-five of the grantees had died, 333 had been transferred to Old Age Pensions, 7 had been committed to institutions, and grants were stopped in a further 18 cases where the financial circumstances of grantees had improved. The expenditure approved during the financial year 1936-37, was £268. 15s. of which £107. 17s. 6d. was actually paid out during that year, while the expenditure approved for the year 1937-38 at the time of writing amounted to £55,378. 12s.

As an indication of the incidence of unfitness amongst indigent Europeans the following table showing the number of applications received each month since the inception of the Scheme is of interest:—

February	211
March	1,142
April	1,278
May	907
June	1,001
July	697
August	706
September	637
October	621
November	655
December	521

8,376

4. BLIND PERSONS ACT, 1936.

The provisions of the Act were fully set out in the report for the previous year. The Department of Social Welfare is responsible for the administration of the following four aspects of the Act:—

- (1) The framing of a list of medical practitioners in terms of Section 3 of the Act to examine applicants for pensions.
- (2) The registration in terms of Section 10 of the Act, of associations which have as their object the promotion of the welfare of persons who are totally or partially blind.
- (3) The making of grants-in-aid in terms of Section 9 (a) of the Act towards hostels, workshops and training centres catering for the needs of the blind.
- (4) The augmentation, in terms of Section 9 (b), of the wages paid to blind persons employed in workshops.

One name was added to the list of medical practitioners during the year, bringing the total to 41, and the following associations were registered:—

The Brakpan Blind Workers Society,
The Natal Bantu and Indian Blind Society,
The Transvaal Society for the Care of the non-European Blind.

The following basis for calculation of grants-in-aid in terms of Section 9 (a) of the Act was approved by the Minister, after consultation with the S.A. National Council for the Blind:—

1. *Capital Expenditure.*

- (a) 50 per cent. of the cost of purchasing, repairing and renovating buildings.
- (b) 50 per cent. of the cost of office and other equipment.

2. *Maintenance and Salaries.*(a) *Workshops.*

- (i) Two-thirds of the salaries of instructors.
- (ii) 50 per cent. of other approved expenditure, excluding wages of blind workers and cost of purchasing raw materials.

(b) *Training Centres.*

- (i) Two-thirds of the salaries of instructors.
- (ii) 50 per cent. of other approved expenditure.

(c) *Homes and Hostels.*

- 50 per cent. of the difference between running costs, as approved, and payments to the institution by or on behalf of the inmates.

The following institutions received grants-in-aid during the year:—

The Athlone School and workshops for the non-European Blind Children	£364 13 4
The After Care Institute for the Blind, Worcester ...	343 6 8
The Pretoria Society to help Civilian Blind	170 16 2
The Civilian Blind Society, Capetown	3,286 16 10
The Transvaal Society for the Care of non-European Blind	89 10 0
The Port Elizabeth Society for the Blind	274 15 0
The Society to help Civilian Blind, Johannesburg ...	695 0 0
	<u>£5,224 18 0</u>

The following is the approved basis for calculation and payment of augmentation:—

“ Societies will grade blind workers employed in their workshops in accordance with the following grading scheme and will pay the hourly rates shown. Augmentation allowances will be paid with effect from 1st September, 1937, at the percentage rates indicated for each hour worked by the individual concerned, up to a maximum of 48 hours per week:—

Grade.	Hourly rate.	Percentage Augmentation.	Example (48 hour week).		
			Earnings.	Augmentation.	Total.
	s. d.	%	£ s. d.	£ s. d.	£ s. d.
A (men only).....	1s.	25	2 8 0	12 0	3 0 0
B.....	10d.	45	2 0 0	18 0	2 18 0
C.....	8d.	65	1 12 0	1 0 9	2 12 9
D.....	6d.	85	1 4 0	1 0 4	2 4 4
E (women only).....	4d.	100	16 0	16 0	1 12 0

Augmentation will not be paid in respect of any worker not falling within the specified grades.”

5. WELFARE WORK ON FORESTRY SETTLEMENTS.

The number of Settlements at the close of the year remained at 20, no changes having taken place during the year. The number of settlers actually in residence on the settlements at the end of December, 1937, was 1,244 or 58 more than at the end of the previous year. There was a decrease of 65 in the number of settlers who left the settlements, compared with the figures for the year 1936. Only 180 left of their own accord, upon completion of the minimum period of one year's service, the corresponding figure for the previous year being 257. The following table gives particulars of the reasons for the departure of settlers.

	1936.	1937.
Declared medically unfit.....	99	94
Left of own accord after one year's service.....	257	180
Absconded before completing one year's service.....	11	17
Discharged for misconduct.....	2	5
Proceeded to better employment.....	27	43
Died or left as result of wife's death.....	3	3
Transferred to Land Settlement Schemes.....	10	2

Forty-one Settlers were transferred from one Settlement to another.

The number of settlers repatriated as medically unfit was slightly lower than in the previous year, and represents almost a hundred per cent. decrease compared with the year 1935. This is attributed to the fact that the medical examination of applicants, prior to their acceptance for Forestry work, has been made stricter, in order to minimise the number of cases in which settlers are found to be unable to stand up to the strenuous nature of the work they are required to perform and the trying climatic conditions in the areas where afforestation is being undertaken.

The total expenditure incurred by the Department during the financial year 1937-38 in transporting settlers, their families and household goods to and from settlements amounted to £5,611. 11s. 11d.

Children on Settlements.—At the end of December, 1937, there were 3,709 children on the Settlements of whom 1,721 were of school-going age. Comparative figures for December, 1936, were 3,696 and 1,606 respectively. Adequate primary school accommodation is available on the settlements for all children of school-going age and arrangements are made for children who have passed the sixth standard to proceed to high or vocational schools. The number of children attending high or vocational schools increased during the year from 145 to 148.

The State-aided Milk and Butter Scheme operated on the settlements throughout the year with beneficial effects.

Thrift and Mutual Benefit Societies.—The Central Benefit Fund, the establishment of which was foreshadowed in the last annual report, was not brought into operation during 1937. The necessary financial provision has, however, been made with a view to the early establishment of the Fund.

Housing, Water Supplies, and Recreation Halls.—On the 1st April, 1937, responsibility for the maintenance of Settlers' houses was taken over from the Department of Agriculture and Forestry. Steps are being taken to effect certain improvements to the houses and to have adequate water supplies provided. It has also been decided to erect recreation halls on settlements where they are not already in existence and to add to all recreation halls properly equipped kitchens for the use of domestic science demonstrators.

Lorries on Forestry Settlements.—During the year as an experiment a motor lorry was brought into use on the Ceylon Forestry Settlement. It demonstrated that the employment of lorries on all Forestry Settlements would in the long run result in considerable economy. The Department of Social Welfare is accordingly purchasing 13 additional lorries, which will serve all the main and extension settlements. One of the purposes for which they will be used will be the conveyance of settlers to and from their work. In the past it has frequently been necessary for Settlers to walk many miles to and from work often in pouring rain and it is considered that the provision of motor transport will eliminate much of the consequent discomfort and wastage of man-power.

The Unfit and the Semi-fit on Forestry Settlements.—The question of making provision for persons who have become semi-fit or unfit on Forestry Settlements is one which has in the past occasioned considerable difficulty. At the close of the year, the Department of Social Welfare had under consideration a scheme for the establishment of Agricultural Settlements to which persons of this class could be drafted, but no final decision had been reached.

6. HOSTELS FOR WORKING BOYS AND GIRLS.

The factors leading up to the formulation of a policy to subsidize hostels established for the accommodation of low paid workers were set out in the annual report for the previous year.

The following basis of financial assistance in approved cases has been laid down:—

1. 50 per cent. of rental, interest and redemption.
2. A contribution towards the purchase of furniture and equipment on the £ for £ basis up to a maximum of £10 per inmate.
3. 2s. 6d. per week per inmate not earning more than 42s. 6d.

There are at present ten hostels in receipt of a subsidy, viz.:—

Four at Johannesburg,
One at Pretoria,
One at Durban,
One at Rustenburg,
One at Paarl,
One at Capetown,
One at Port Elizabeth.

During the year under review an amount of £3,600 was paid as subsidy to hostels with accommodation for 470 workers. There are at present eight applications for assistance in the establishment of Hostels pending.

A subsidy is also granted to co-operative societies providing accommodation for their seasonal workers. The rate of subsidy is 2s. 6d. per week for each inmate earning not less than 15s. or more than 42s. 6d. During the year two co-operative societies, which provided accommodation for 255 seasonal workers were in receipt of a subsidy.

7. COMPULSORY WORK COLONIES.

At the end of the year, arrangements had been made for a compulsory work colony, with accommodation for 20 coloured men, to be opened at Simonstown.

The old Simonstown Goal is being utilized to accommodate the inmates, the necessary structural alterations have been made by the Public Works Department. In the vicinity of Simonstown there is ample work on which the inmates can be employed e.g. improvements to roads, storm water drainage works, etc.

In addition the Department of Social Welfare intends establishing a work colony for Europeans at Zwartfontein in the Barberton District. It is proposed to make accommodation for 100 inmates. The scheme is, however, in its initial stages and it is impossible to say when it is likely to reach completion.

The Act provides for the detention in Work Colonies of—

- (i) any person over the age of 21 years who—
 - (a) habitually begs for money, food or clothing or sends or employs others to beg for money food or clothing, or
 - (b) appears to have no adequate means of subsistence and fails to provide his wife or any child whom he is legally bound to maintain with reasonable food and clothing, and has refused work suitable to his circumstances and capacity which has been offered to him by, through or on behalf of an inspector or officer;
- (ii) any person over the age of 19 years who is convicted in any court of—
 - (a) a contravention of any law relating to vagrancy,
 - (b) a contravention of any law relating to the supply of intoxicating liquor,
 - (c) a contravention of sub-section (2) of Section 16 of the Children's Act, 1937,
 - (d) theft.

The period of detention of persons committed may not be less than one year nor more than five years. The Act provides for the admission to colonies of the wives and children of inmates.

The Act also provides for the appointment for every colony of a Superintendent or an Assistant Superintendent or both and these officers will be responsible for the proper management of the colonies under their control. In respect of every Colony an Advisory Board must also be appointed, consisting of not less than three or more than five members at least one of whom shall be a woman. It will be the duty of the Board to advise the Minister in regard to all matters concerning the Colony and to comply with the requirements of any regulation prescribing the duties of the Board,

Under the regulations framed under the Act the Magistrate of the district in which the Colony is situated shall be *ex officio* Chairman of the Board. The Board is also required to make recommendations on all matters concerning the admission, discharge and the employment of inmates of the Colony and to report on any matter when called upon by the Minister to do so.

The regulations also provide for—

- (a) the appointment of a medical officer who will be responsible for the health of inmates and their fitness for employment,
- (b) the hours and nature of work of inmates,
- (c) the wages and other benefits of inmates as follows:
 - (i) Married Europeans—2s. 6d. per day worked of which 3d. may be paid to the inmate and 2s. 3d. remitted to his dependents.
 - (ii) Married Coloured inmates—1s. 9d. per day worked of which 3d. may be paid to the inmate and 1s. 6d. remitted to his dependents.
 - (iii) Unmarried European Coloured inmates—3d. per day worked.

In addition to wages inmates will be provided with accommodation, food, clothing and medical services.

8. INTER-DEPARTMENTAL COMMITTEE ON DIAMOND DIGGINGS.

The report of the Inter-Departmental Committee appointed to enquire into social and economic conditions on the Alluvial Diggings and to make recommendations with a view to the solution of existing problems, was published on the 30th April, 1937.

The Committee recommended, inter alia, that a social survey of the diggings be carried out and in October 1937 a trained Social Worker in the employ of the Department of Social Welfare undertook a survey in the District of Lichtenburg. Although the survey did not cover the whole of the alluvial diggings in the Union, it was considered that the conditions in the Lichtenburg District would be sufficiently characteristic to furnish an accurate indication of the conditions elsewhere. The Social Worker took as the basis of her conclusions the circumstances of 100 families scattered throughout the area under investigation. The following were the statistics furnished:—

1. Each family consisted of an average of 5 persons.
2. Of 120 male adults only 65 were fit for ordinary employment; 35 were totally unfit for any form of employment; and 20 were capable of performing light work only.

It was reported that 70 per cent. of the diggers were unable to make a living and were almost entirely dependent for their subsistence on the supply of government rations.

The following statistics in regard to the population of the Diggings as at 31st December, 1936, appeared in the Inter-Departmental report referred to above:—

<i>Men.</i>	<i>Women.</i>	<i>Children.</i>	<i>Total.</i>
3,270	2,477	5,309	11,056

If the figures furnished by the Social Worker are to be taken as an indication then of the 3,270 men, 1,770 are fit for ordinary employment, 953 totally unfit for any form of employment and 547 semi-fit and capable of light work only.

The Inter-Departmental Committee in its report suggested that approximately 60 per cent. of the diggings population fell under the class "very poor". It estimated the number of families at 3,000 of which 1,860 were not making a living.

The problem of the placement of those persons on the Diggings who although fit for absorption in other forms of employment are not able to make a livelihood on the Diggings is at present receiving the consideration of the Department. With a view to assisting the aged and others who are not physically capable of performing hard manual labour, consideration is being given to the possibility of establishing Agricultural Settlements on which suitable farming operations would be conducted under expert supervision. No decision had been reached in this matter at the end of the year.

9. INTER-DEPARTMENTAL COMMITTEE ON POOR RELIEF.

The Department of Labour and Social Welfare was represented on this Committee by the Under-Secretary, Mr. W. D. Norval. In its report, which was signed on the 28th September, 1937, the Committee submitted the following conclusions:—

- (a) That the functions intended to be vested in the Provinces under Section 85 of the South Africa Act, 1909, and Section 12 and the Second Schedule of the Financial Relations Act, 1913, in respect of the distribution of poor relief and of the establishment, maintenance and management of charitable institutions were confined to the relief of the material needs of indigents by the grant of rations, and the subsidization of charitable institutions and societies housing and maintaining and otherwise ministering to the material needs of indigents (para. 32);
- (b) that the Provinces are at present responsible for affording medical services (including hospital treatment) to men employed on relief works and their dependents to the same extent as to other indigent persons resident in the Province (para. 39);
- (c) that neither the Provinces nor the Union are under obligation, though both have the power to afford surgical or medical treatment to applicants for employment on relief works to fit them for such employment (para. 40).

The Committee recommended that the functions of administration of poor relief, in co-operation with voluntary effort, be transferred from the Provinces to the Union Government (para. 109, 122), and that the administration of poor relief should include the co-ordination of the work in that field of government, local authorities and voluntary societies; the stimulation of co-operation and contribution by voluntary effort; and the expansion of rehabilitative services (para. 85).

10. RENTS ACT, 1920.

The Administration of the Rents Act, 1920, was taken over from the Department of Commerce and Industries on 1st April, 1937. At the close of the year 17 Rent Boards were functioning.

CHAPTER IV.

ADMINISTRATION OF INDUSTRIAL LAWS.

1. WAGE REGULATION.—INDUSTRIAL CONCILIATION AND WAGE ACTS.

(1) NEW LEGISLATION.

The Industrial Conciliation Act (No. 36 of 1937) and the Wage Act (No. 44 of 1937) came into operation on the 15th December, 1937. These laws replaced the previous measures bearing the same titles, passed in 1924 and 1925 respectively. The new measures, while retaining the basic principles of wage regulation as expressed in the repealed Acts, effected a number of changes designed to facilitate administration and to check the evasion of wage regulating instruments. In drafting the Acts, close attention was paid to the recommendations of the Industrial Legislation Commission, which were summarized in the Department's Annual Report for 1935. The following is a resumé of the principal provisions of the new Acts:—

Industrial Conciliation Act, 1937.—The main objects of the law are the prevention and settlement of disputes between employers and employees by conciliation and in certain cases by arbitration and the registration and regulation of trade unions, employers' organizations and private registry offices. The scope of the 1937 Act is similar to that of the previous statute and embraces every undertaking, industry, trade and occupation, excluding farming operations, domestic service in private households, Government employment (including the Railway Administration) and work done in charitable institutions, if the persons performing it receive no remuneration, or at educational institutions wholly or partly maintained by Government funds, if the work forms part of the education or training of the persons performing it. The operation of the Act is limited by the definition of "employee", which excludes persons whose contract of service of labour is regulated by Act No. 40 of 1894 (Natal), or is regarded for the purposes of that Act as a contract between master and servant or is regulated by the Native Labour Regulation Act, 1911, or the Natives (Urban Areas) Act, 1923, as amended. In effect this exclusion means that the majority of native workers are excluded from the definition of "employee", but provision is made for the application to such workers of industrial council agreements, under certain circumstances.

Registration of Trade Unions and Employers' Organizations.—The Act provides for the appointment of an Industrial Registrar in whom are vested the powers and duties previously exercised by the Registrar of Trade Unions and Employers' Organizations under the Industrial Conciliation Act, 1924. His duties include the registration of trade union's employers' organizations and industrial councils. The powers previously conferred upon the Registrar have been considerably extended and under Section 7 of the Act the Industrial Registrar has the right to vary the basis of registration so as to coincide from time to time with the interests effectively catered for. Registration may be withheld from an applicant trade union or employers' organization where there already exists in the same area a body which, in the Registrar's opinion, is sufficiently representative of the interests for which the applicant desires to cater. The laws governing companies, insurance companies, friendly and provident societies do not apply to trade unions or employers' organizations, the members of which are, however, free to form separate associations for purposes other than those contemplated by the Act.

The constitutions of registered trade unions and employers' organizations are subject to stricter provisions under the new Act which lays down that if the Registrar is unable to decide whether any provision in a constitution is or is not in accordance with law or if he is of the opinion that any provision is unreasonable in relation to the public or the members of the body concerned he shall refuse to approve such provision. The status of a body registered under the 1924 Act is not affected by the provisions of the new Act but the Registrar is empowered to require any organization or union registered under the former Act to remove from its constitution any provision which, in his opinion, is inconsistent with the new Act or is contrary to the provisions of any law or calculated to hinder the attainment of the objects of any law. The Act empowers the Industrial Registrar to institute enquiries into the affairs of trade unions or employers' organizations whenever it appears that irregularities may be taking place in the conduct of the affairs of such bodies.

Another important change brought about by the new Act concerns the registration of associations composed of Government employees. Under the old Act a trade union could only be registered in respect of a particular

undertaking, industry, trade or occupation, and several unions consisting of Government employees were refused registration on the ground that they could not be said to be organized in respect of a specific undertaking, etc. Section 2 (3) of the new Act, however, provides that an association of the type referred to may, if the other requirements of the Act are satisfied, be registered notwithstanding the fact that its members or some of them are not employed in any particular undertaking, industry, trade or occupation. The Act only applies to these associations in so far as registration is concerned and they cannot for instance participate in the establishment of industrial councils or conciliation boards. They do, however, derive from registration the benefits of corporate status; such unions have the option of applying for registration, whereas in the case of all other trade unions application for registration must be made within three months of their establishment.

The freedom of employees to associate in trade unions is guaranteed by Section 78 of the Act, which provides that any employer who makes it a condition of employment that an employee shall not be or become a member of a trade union shall be guilty of an offence. Section 79 protects trade unions and employers' organizations from legal proceedings arising from any wrongful act (other than a criminal offence) committed in furtherance of a strike or lock-out which is not contrary to the provisions of the Act.

The Act also contains new provisions empowering the Minister to approve of the registration of any federation consisting wholly or partly of registered employers' organizations or trade unions. The Minister may, in terms of the Act, consult any registered federation on matters concerning the interests of employers and employees in general.

Industrial Councils.—The Act makes provision for the establishment of industrial councils consisting of employers or registered employers' organizations, on the one hand, and registered trade unions on the other hand. When registered in terms of the Act, industrial councils are entitled to deal with any matter of mutual interest to the parties and to take such steps as may be necessary for the prevention and settlement of disputes. Councils may negotiate agreements specifying the minimum remuneration to be paid to employees in the industry concerned, the hours of work, and any other matter affecting or connected with conditions of employment, or any matter of mutual interest to employers and employees. Upon application by the parties an industrial council agreement may be published by the Minister and made binding upon the employers and employees who are members of the constituent organizations and, if the Minister is satisfied that these employers and employees are sufficiently representative of the industry concerned taken as a whole, the agreement may be made binding upon all employers and employees in the industry concerned. If it appears that the objects of an agreement are likely to be defeated by the employment of persons excluded from the definition of "employee" contained in the Act, e.g. pass-bearing natives, provision is made for the Minister at the request of the industrial council concerned to extend such of the terms of the council's agreement as he may consider necessary, to these persons and their employers.

Section 27 (9) of the Act authorises an inspector to attend any meeting of an industrial council and to take part in the proceedings whenever the interests of persons engaged or employed in the industry concerned who are not members of any of the parties to the council are under discussion. An inspector attending a meeting in terms of this authority is not entitled to vote.

Industrial Disputes.—Industrial councils are primarily responsible for settling disputes between employers and employees in industries for which they are registered. If a dispute arises in an industry or undertaking for which no industrial council exists, the Minister may on the application of one of the parties set up a conciliation board, consisting of an equal number of representatives of the employers and employees concerned, for the purpose of settling the dispute. Where a dispute relates to employment in connection with essential services, i.e. the provision of light, power, water, sanitation, fire extinguishing services or passenger transportation, the Minister may appoint a conciliation board although no application has been made by one of the parties to the dispute, and in any event compulsory arbitration automatically follows the failure of a board to settle a dispute connected with these services; similar provisions apply in the case of the failure of an industrial council to settle a dispute of this nature. In other cases, an industrial council or conciliation board may voluntarily decide to submit a dispute to arbitration. In cases where it is decided to refer a dispute to more than one arbitrator, an umpire must also be appointed, who will give a decision on any point in respect of which a majority of the arbitrators are unable to agree. The Minister is required to appoint the arbitrator (or arbitrators and umpire) if the industrial council or conciliation board does not make the necessary appointments within a prescribed period.

Strikes and Lock-outs.—Section 65 of the Act imposes an absolute prohibition on strikes or lock-outs in respect of employees engaged on essential services, as defined in the preceding paragraph. In other industries, strikes and lock-outs are forbidden until such time as the machinery provided by the Act for the settlement of industrial disputes has been exhausted. No strike or lock-out may legally take place during the currency of an agreement or award which contains any provision dealing with matters at issue. The maximum penalty for contravening this section is a fine of five hundred pounds and three years' imprisonment.

Under Section 70 of the Act, the Minister is empowered to conduct any service or function of a local authority when the latter is unable to do so by reason of any lock-out, strike or usurpation of its powers by unauthorized persons. Under certain circumstances this section is also applicable to any undertaking, other than a local authority, which supplies light, power or water.

Private Registry Offices.—The registration of private registry offices is obligatory and the keepers of these bureaux are required to maintain books and records in the form laid down in the regulations under the Act.

N.B.—The remaining provisions of the Industrial Conciliation Act deal with matters common to that Act and the Wage Act, and are summarized under the heading, "Provisions common to both Acts".

Wage Act, 1937.—The Wage Act, No. 44 of 1937, provides the necessary machinery to enable the Minister to determine minimum wages and conditions of employment in respect of persons not bound by an agreement or award under the Industrial Conciliation Act. The Act may be applied to all employment except farming operations, domestic service in private households, Government employment (including the Railway Administration) and work done in charitable institutions, if the persons performing it receive no remuneration, or at educational institutions wholly or partly maintained by Government funds, if the work forms part of the education or training of the persons performing it.

Wage Board.—The 1937 Act, retains the provision for the appointment of a Wage Board consisting of three members, and for the appointment of divisions of the Board. Trade unions and employers' organizations have the right to nominate additional members for specific investigations. The power of the Minister in regard to the initiation of Wage Board investigations have been amplified considerably. Under Section 5, the Minister may direct that any investigation shall be in respect of any one or more classes of employees in any section of trade. In defining a class of employees, or a section of trade, the Minister may use any basis of differentiation he may deem desirable, including age, sex, experience, length of employment or type of work or type or class of premises on which work is performed, but may not differentiate or discriminate on the basis of race or colour. Section 9 of the Act, which sets out the matters on which the Board may make a recommendation, vests an identically worded discretion in the Board, in regard to the definition of classes of employees. The matters on which the Board may make a recommendation are detailed in Section 9 of the Act, and cover all phases of the relationship between employer and employee. In addition, the Board may make recommendations in regard to the rates at which payment shall be made by a principal or contractor to any person to whom work is given out on contract. Before making any recommendation, the Board is bound, by the provisions of Section 8, to consider the ability of employers to carry on their business successfully should its recommendations be carried into effect.

Wage Determinations.—Under Section 15 of the Act, the Minister may publish any recommendation made by the Board, in order to give interested persons an opportunity to lodge objections. The Board may amend its recommendation after consideration of any objections. The Minister is empowered by Section 16 to make a determination which, as in the previous Act, must be in accordance with a recommendation by the Board, including any amendments made under Section 15, save that the Minister has the right to exclude from the determination any section of a trade, class of employee or area. The Act contains a number of new provisions designed to facilitate—

- (a) the cancellation or suspension of a determination, and
- (b) extension of the area of application of a determination.

Due provision is made for consultation with the Wage Board in regard to the exercise of these powers, and for an opportunity to be given to interested persons to make representations to the Minister.

Provisions Common to both Acts.—The new Acts contain identical sections in regard to failure to observe the provisions of any wage regulating measure, orders of court for the payment of arrear wages, victimization of employees, appointment and powers of inspectors, the registration of employers, etc. The principal new feature of the Acts is the provision that every employer upon whom a wage regulating measure is binding must register with the Department of Labour. Any employer who carries on a business covered by a wage determination, agreement or award, without a

certificate of registration, is guilty of an offence. No certificate may be issued to any person who has not complied with an Order of Court in regard to the payment of arrear wages, and provision is made for the cancellation of any certificate in possession of an employer who fails to comply with an Order of Court. An employer who is convicted of underpayment on a second or subsequent occasion may be ordered to surrender his certificate of registration. Should he thereafter carry on business in the same trade and employ any persons he becomes liable to imprisonment for a period of one year without the option of a fine. The discretion which Magistrates had under the previous Acts, whether or not to make an order for the payment into Court of the amount of wages underpaid, has been removed. Under the new Acts, the Court is required to enquire into the circumstances surrounding the under payment and must make an order calling upon the employer to pay the amount underpaid or, if this cannot be ascertained exactly, an amount estimated at as near as possible the correct figure.

Demarcation between Trades.—In order to meet difficulties experienced in administration, the Minister has been given power to determine, after hearing representations from those concerned, whether any employer, employee, class of business or work, or any operation or process falls within a particular trade or industry. Provision is made for an appeal to provincial divisions of the Supreme Court, and to the Appellate Division.

Powers of Inspectors.—Inspectors appointed by the Minister are empowered to enter any premises (including any land, structure, vessel or vehicle), to question any person who is or has been on the premises, and to examine and, if considered necessary, seize any books or documents. Employers and employees are required to furnish an inspector with facilities to enable him to carry out his duties. An inspector may examine any person alone, or in the presence of others and may require an employer to pay his employees in his presence. It is an offence for any person to hinder an inspector in the exercise of his functions, or to make a false statement to, or refuse to answer questions put by an inspector. At the request of an industrial council, the Minister may appoint any person as a “designated agent” to assist the council in carrying out its functions. Designated agents have all the powers conferred on inspectors.

Offences, Evidence and Penalties.—Any agreement purporting to permit the payment to an employee of less than the amount legally due to him under either Act is void, and the parties to such an agreement are guilty of an offence. An employer who requires or permits an employee to refund any remuneration due to him, or to give a receipt for more than he has actually been paid, is also guilty of an offence. In any prosecution, proof of the publication of a notice in the *Government Gazette* must be accepted as conclusive proof that the relative provisions of the law in regard to the wage regulating measure in question have been complied with. The Acts contain several similar provisions, designed to facilitate the presentation of the Crown case in criminal prosecutions. In order to counteract the practice of employer and employees entering into bogus partnerships, it is laid down that any party to a partnership agreement shall be regarded as an employee if the agreement is terminable on giving less than three months notice, or if the amount received by him under the agreement is less than the minimum remuneration prescribed for an employee.

The protection afforded employees against victimization has been strengthened, the maximum penalty for a contravention of the relative provisions being a fine of three hundred pounds and two years' imprisonment, in addition to which, the Court may order that the employee concerned be reinstated, or that compensation not exceeding £200 be paid to him. The offence of victimization is committed by any employer who dismisses an employee or reduces his remuneration or alters his conditions of employment to less favourable conditions or alters his position relatively to other employees to his disadvantage, by reason of the fact that he suspects or believes that the employee has given information to a competent authority in regard to conditions of employment, or has refused to sign false receipts or refund part of his remuneration to the employer, or belongs to, or has taken part in the lawful activities of a trade union.

The maximum penalty for an offence for which no penalty has specially been fixed is a fine of one hundred pounds and one year's imprisonment. If the offence consists of underpayment of remuneration amounting to more than £100, the maximum fine is increased to an amount equal to the underpayment.

Date of Commencement.—By Proclamation No. 244, dated 26th November, 1937, the Governor-General-in-Council fixed the 15th December, 1937, as the date of commencement of the Industrial Conciliation Act. The same date was fixed in respect of the Wage Act by Proclamation No. 245. The regulations made by the Governor-General under both Acts were published in Government Notices Nos. 1841 and 1842 of the 2nd December, 1937.

(2) INDUSTRIAL CONCILIATION ACT.

Industrial Councils.—Seven industrial councils were registered during 1937 while five industrial councils ceased to exist. The development in the organization of industry along self-governing lines is in fact greater than would appear from the figures given above. Of the five councils which ceased to exist, three were formerly registered for the Furniture Manufacturing Industry in various areas and were de-registered in order to permit of the establishment of an Industrial Council on a national basis, the fourth was registered for the Engineering Industry in the Transvaal Province and became defunct owing to the necessity for re-organization following the marked expansion of the industry in the manufacturing sphere. The scope of the industry, which formerly embraced mainly repair and jobbing workshops, now covers in addition, large manufacturing concerns engaged in the production of iron and steel in bulk and metal products of various types, the manufacture of mining material, gates and fencing material, steel reinforcement, the erection of steel structures, and the installation and servicing of electrical equipment including refrigerators, radios and domestic electrical appliances generally. Consequent upon this expansion, the Transvaal Engineering and Allied Industries Federation was replaced by a number of employers' organizations, representing the various interests referred to above, and a new Industrial Council was registered for the Iron and Steel Manufacturing and Engineering Industry with jurisdiction throughout the Transvaal. Five industrial councils were registered for industries not previously subject to control under the Industrial Conciliation Act.

In addition to those agreements previously published for periods of two or more years which were still in operation during 1937, thirty-six new agreements were published. On the 31st December, 1937, there were 6,423 employers and 69,390 employees covered by the 38 agreements then in force. In fourteen cases industrial councils reported that their agreements were likely to be defeated by the employment of pass-bearing natives under conditions different from those laid down and in each of these cases notices fixing the minimum wages and maximum working hours of pass-bearing natives were published by the Minister in terms of Section 9 (4) of the Act. No decrease in wages occurred during the year, and the tendency towards an increase in the wage level recorded in the previous annual report continued. A pleasing feature of recent agreements has been the provision for stabilized wages and working conditions of classes of employees not previously subject to wage regulation and in particular the unskilled and semi-skilled worker. Many trade unions appreciate the necessity for the fullest possible organization in order to keep pace with the increased specialization of industry and the consequent appearance of an "operative" class in the ranks of the employees.

The success which has attended the efforts of industrial councils to regulate the affairs of their respective industries by negotiation and conciliation has also contributed to the tendency of these bodies to extend the scope of their activities in the direction of better organization in industries: A few examples of the tendency referred to may be seen in the extension of the agreement for the Motor Industry in the Transvaal to include wages and conditions for the clerical, administrative and sales staffs, the provision in the Printing Industry agreement to the effect that employees not directly connected with printing processes, e.g., drivers of mechanical vehicles, should be employed under conditions similar to those prescribed in agreements for industries in which such operations constitute an important element and the provision in most of the Engineering Industry agreements for wages and conditions in respect of all classes of operative labour, i.e., employees engaged on repetitive processes. In certain cases, however, the desire of industrial councils to legislate within their respective spheres for all classes of labour, has outstripped the effectiveness of the organization of the parties to the councils, and provisions have sometimes been included in agreements which, owing to the lack of sufficient consultation with the interests directly affected, have proved to be defective in the light of experience. These faults, however, are as a rule easily corrected by means of subsequent agreements and exemptions to meet special circumstances. While the policy of expansion of the principle of self government in industry is undoubtedly sound, it is necessary to sound a note of warning against attempts to proceed too rapidly in this direction. The effectiveness of the industrial council system depends upon the degree of organization of the trade unions and employers organizations.

The stabilization of working conditions has a tendency to lead to an apathetic attitude on the part of employers and employees towards their respective organizations and in time weakens their membership; this tendency, unless checked must in time cause the councils concerned to collapse, as an essential prerequisite to the publication of an agreement and its extension to non-members of the party organization is that the latter should be "sufficiently representative" of the industry concerned. This factor has assumed greater importance with the coming into operation of the new Act, in view of the greatly increased powers granted to industrial councils and their agents, and the heavier penalties imposed for breaches of agreements.

Improvements in Conditions of Employment.—Following on representations made to all industrial councils during 1936 as a result of the Industrial Legislation Commission's Report, several councils have taken steps to raise the wages of the lower paid and generally unorganized employees in industry. Because of the large proportion of these employees as compared with the skilled employees, any change in this direction must necessarily be introduced gradually if disorganization of industry is to be avoided. Contracts entered into under wage conditions previously in force exert an influence on the extent to which employers are prepared to grant concessions and a number of industrial councils have adopted the method of providing for small increases in wages at specified intervals, as presenting the best means of overcoming this difficulty. Satisfactory progress is being made and employers and employees in organized industry generally appear to support the view that all sections of the employees should share in the increased prosperity at present being experienced. The provision of an annual paid holiday is becoming general and even newly established councils usually include such provisions in their first agreements. A few industrial councils provide unemployment benefits, but it is anticipated that with the promulgation of the Unemployment Benefit Act, organized industry will in future take advantage of the machinery set up by that measure, rather than initiate schemes under the Industrial Conciliation Act.

Demarcation.—As is to be expected with the rapid changes and developments in technique in industry, industrial councils in attempting to control their respective industries and keep pace with such developments find it necessary to broaden their scope of jurisdiction, with the result that it becomes increasingly difficult to determine the limits of an industry controlled by a particular council. As an instance of this, the development of the Motor Industry may be quoted. In the early stages of the development of the motor-car, mechanical repairs were performed by engineering artisans employed by general engineering establishments, but in time a number of establishments commenced to cater specially for this class of work, and a somewhat different technique emerged which eventually led to the creation of a new industry to meet the peculiar needs of the users of motor vehicles. The manufacture of spare parts, however, remained to some extent within the province of the general engineer and the stage was reached where jurisdiction in respect of this type of work was claimed by the industrial councils for both the Motor and Engineering Industries. Similarly, while industrial councils for the building industry claimed and exercised jurisdiction in connection with the erection of buildings made of stone, bricks and wood, their jurisdiction was questioned by industrial councils for the Engineering Industry when engineering principles were applied to the design and erection of certain classes of buildings in which steel girders, reinforced concrete work and metal work generally played an important part.

Similar difficulties have arisen with the development of the manufacture of metal furniture as a substitute for wooden furniture and in other cases, where the change in technique is such as to bring the work within the normal operations of a different type of artisan to that previously found in the industry concerned. These difficulties have become intensified of recent years and hitherto the only method of testing the position has been by means of criminal prosecutions for breaches of the agreement alleged to be applicable. This method gave rise to considerable dissatisfaction and offered no permanent solution. Provision is made in the 1937 Act for "border-line" cases and differences of the type referred to to be determined by the Minister of Labour after enquiry and by this means it is hoped that the friction and difficulties caused by demarcation disputes in the past will be avoided.

Conciliation Boards.—Fourteen conciliation boards were appointed during the year, seven being in connection with grading and other matters affecting municipal employees, and one each, in the Mining Industry, the Iron and Steel Industry, the Diamond Cutting Industry, the Chemical Industry, the Brewing Industry, the Building Industry and the Explosives Industry. A complete list is given at the end of this section of the report.

Four of the conciliation boards appointed to consider municipal disputes were concerned with differences which had arisen between the Durban Corporation and its employees. In two cases, the boards were unable to reach agreement and arbitration proceedings followed. In the Transvaal, the Conciliation Board appointed to deal with the dispute in the Diamond

Cutting Industry was unable to reach agreement on the principal point at issue, viz., the employees' demand for a minimum wage of £35 per month. The proceedings of the Conciliation Board appointed to consider a demand for increased wages by the employees of African Explosives and Industries, Ltd., at Johannesburg, resulted in the establishment of an industrial council to deal with wages and other conditions of employment in this undertaking. A board appointed to determine the matters in dispute between the Germiston Municipality and the S.A. Association of Municipal Employees arrived at a settlement which was accepted by both parties.

The Conciliation Board appointed to consider a dispute between the S.A. Iron and Steel Corporation and 800 of its employees failed to reach agreement, and the matter was referred to two arbitrators appointed by the Minister at the request of the board, viz., Dr. J. H. Botha and Mr. W. H. Windsor, both members of the Wage Board. The arbitrators issued an award which came into force on the 1st December, 1937.

Of the fourteen disputes in respect of which Conciliation Boards were appointed during the year, six were settled by the boards, five by arbitrators, one was not settled, and in two cases finality had not been reached by the end of the year.

Strikes and Lockouts.—Thirty-four disputes involving the cessation of work occurred during the year, but were all of comparatively short duration, the longest being for 16 days, while in thirteen cases the stoppage lasted less than a day. The total wages lost by employees owing to cessation of work was £9,871. 5s. 9d., more than four times the figure for the previous year.

The most serious strike was that which occurred in the Building Industry at Port Elizabeth, in which approximately 8,881 working days were lost by the 1,380 employees concerned. Arising from the strike, certain of the participants were convicted and fined £5 each for contravening the provisions of the Industrial Conciliation Act by unlawfully taking part in a strike before the matter giving occasion thereto had been considered and reported on by a conciliation board. The conviction was confirmed by the Supreme Court on appeal.

A large number of strikes occurred in the Durban inspectorate, the workers concerned being in most cases Indians or Natives, principally the latter. The most serious stoppage of work occurred at the docks, where 650 natives employed by the Railways and Harbours Administration went on strike for an increase in their wages from 3s. to 4s. per day. The Administration temporarily employed labour from other sources to perform urgent work at the docks, and the strike collapsed after a time. The Administration undertook to examine the question of the wages paid to the class of labourer concerned. One prosecution for contravening the provisions of the law in regard to strikes was instituted at Durban, certain employees being convicted of taking part in an illegal strike in the Textile Industry. They were all cautioned and discharged by the Magistrate.

Only one strike of any importance occurred in the Gold Mining Industry, and in that instance the matter in dispute was not directly connected with wages or working conditions. The men employed on one of the shafts at the Simmer and Jack Mine refused to work with an employee who was not a member of the S.A. Mineworkers' Union, an organization recognised by the Chamber of Mines and registered under the Industrial Conciliation Act. The employee concerned had joined the " Afrikanerbond van Mynwerkers ", a recently-formed rival organization to the S.A. Mineworkers' Union, and the dispute resolved itself into a struggle between these two organizations. Eventually the Gold Producers Committee of the Transvaal Chamber of Mines adopted the " closed shop " principle by making it a condition of employment that mine employees, other than officials, official learners or junior apprentices, should be members of one or other of the Trade Unions recognized by the Chamber. In an official statement, the Chamber stated that it was taking this step in the belief that it would remove a serious cause of friction between employees as a whole and ensure harmonious relationship for the future.

An unusual strike occurred in Pretoria on the 16th September, 1937, when 170 indoor messengers employed in Government Departments ceased work with the object of obtaining an increase in pay. On the advice of the Juvenile Affairs Board, the messengers returned to work on the next day. The request for increased pay was not acceded to.

In addition to disputes involving cessation of work, the Department's officers negotiated settlements in a number of cases where friction had arisen between employer and employee.

Trade Unions and Employers' Organizations.—Complete lists of registered trade unions and employers' organizations appear in the tables annexed to this chapter.

The trade unions continued to increase in membership, as is indicated by the following comparison of the figures as at 30th September in each of the years referred to:—

1934	77,737
1935	102,612
1936	149,893
1937	186,815

The corresponding figures in respect of employers' organizations appear below :—

1934	5,004
1935	4,375
1936	6,560
1937	8,517

At the end of 1937, there were 135 registered trade unions and 100 registered employers' organizations representing an increase of 20 and 6 respectively over the figures for the previous year.

Private Registry Offices.—One private registry office was registered during 1937 bringing the total up to 19. In accordance with the established policy of the Government, the number of private fee-charging bureaux is kept as low as possible in order to give effect to the International Labour Convention on Unemployment. New applications are only approved in respect of classes of unemployed persons not adequately catered for by departmental free employment exchanges or existing private registry offices.

SUPREME COURT DECISIONS.

A summary of the more interesting appeal and review cases before the Supreme Court during the year, follows:—

Rex versus Lobb (C.P.D.—22.3.37).—The Court held in this case that it was incompetent for a magistrate in terms of Section 9 (5) of the Industrial Conciliation Act, 1924 to order the payment of arrear wages to the employees concerned upon conviction of the accused for underpayment. The correct course would be for the magistrate to order the amount to be paid into court and thereafter to exercise the discretion given to him by the section and decide what portion thereof, having regard to the circumstances, should be paid to the employees.

Rapanos versus Jim Mabasa (T.P.D.—16.9.37).—It is a criminal offence for a pass-bearing native to accept wages less than those laid down in a notice published in terms of Section 9 (4) of the Industrial Conciliation Act, 1924. *Prima facie* a pass-bearing native who agrees to work for wages lower than those prescribed in a notice under Section 9 (4) of the Act, is in *pari delecto* with his employer and cannot recover the amount underpaid. If he wishes to plead ignorance, oppression or any other cause negating this presumption, this should be alleged in the pleadings.

NOTE.—The circumstances in which an employee can sue civilly for wages alleged to be due when his conditions of employment are determined by agreements or awards are now set out in detail in Section 56 of the 1937 Act.

Giles and Others versus Minister of Labour and Others (T.P.D.—3.12.37).—The Minister's discretion in regard to the publication of an agreement arrived at by an Industrial Council is not affected by the fact that he approved the appointment of a conciliation board in the same industry prior to the registration of the industrial council, and that such board was, at the time of publication of the agreement not yet discharged from its duties in terms of the Act, even if the published agreement covered the same operations as formed the terms of reference of the board. The position might be different if the board's deliberations were prejudiced by the publication of the agreement but, as in the case in point the wages and conditions were minima, and as the conciliation board was free to negotiate better conditions, the employees (who were the applicants in the case) could not be said to have been prejudiced by the publication of the agreement.

Tramway and Omnibus Workers' Union (Cape) versus George Arthur Heading (A.D.—13.10.37).—The plaintiff was dismissed by his employer and in an action for damages against a trade union alleged that this dismissal was due to coercion by the trade union (the defendant) which threatened to call a strike if he were not dismissed. The argument was raised that as the Union consisted of employees engaged in essential services and as a registered trade union is a creature of the Industrial Conciliation Act, it could not call a strike, such a strike being prohibited by the Act. In the judgment a distinction was drawn between the incorporation and recognition of existing organizations, and organizations brought into being by the statute which incorporated them. The fact that the legislature prohibited strikes in certain circumstances and permitted them in other circumstances implied a recognition of the ability of a trade union to take part in a strike irrespective of its constitution.

Kwong See versus Rex (E.D.L.D.—22.7.37).—It was held that a general dealer who employed for a very limited time a small number of workmen for the renovation of a building in which he had an interest was not "an employer in that (building) industry" within the meaning of Section 9 (1) (b). This followed *Rex vs. Sidersky*, 1928 T.P.D. and *Weiners vs. Stinnes (S.A.), Ltd.*, 1928 T.P.D. which laid down that "the character of an industry is determined not by the kind of occupation, in which the employees are engaged, but by the nature of the enterprise in which the employer and the employees are associated for a common purpose".

Federation of Master Printers versus Minister of Labour (T.P.D.—22.4.37).—The following principles were laid down in the above case:—

- (1) That any person had a right to appeal to the Minister of Labour against a decision by the Registrar of Trade Union and Employers' Organizations under Section 14 of the Industrial Conciliation Act, 1924.

- (2) The Minister in deciding an appeal must take the same factors into consideration as those which in terms of the Act must be taken into consideration by the Registrar; thus in considering whether amendments to the constitution of a registered employers' organization should be approved, the only factor which the Minister might consider was whether the proposed amendments were in accordance with law, i.e. the Common Law, the Statute Law or some enactment having the force of law.

NOTE.—The 1937 Act incorporates a further principle. The test of whether such a constitution is reasonable in relation to the public and the members may now be applied.

- (3) The consent of or prior notice to other parties who might be affected by the certification of an amendment to the constitution of a registered employers' organization, was unnecessary.
- (4) The organization directly affected by a decision by the Minister on appeal from the Registrar must be given an opportunity of presenting its case.

STATISTICS AND OTHER DATA.

(i) *Industrial Councils.*

- (a) No. of Industrial Councils in existence as at 1st January, 1937 ... 46
- (b) No. of Industrial Councils registered during 1937 7
- (i) Industrial Council for the Hairdressing Trade, Witwatersrand.
- (ii) Industrial Council for the Motor Industry (Eastern Province).
- (iii) National Industrial Council for the Furniture Manufacturing Industry of the Union of South Africa.
- (iv) Industrial Council for the Hairdressing Trade, Durban.
- (v) Modderfontein Dynamite Factory Industrial Council.
- (vi) Industrial Council for the Iron and Steel Manufacturing and Engineering Industry (Transvaal).
- (vii) Industrial Council for the Building Industry Port Elizabeth).
- (c) No. of Industrial Councils de-registered during 1937 5
- (i) Industrial Council of the Furniture Industry (Cape).
- (ii) Industrial Council for the Furniture Industry (Witwatersrand and Pretoria).
- (iii) Industrial Council for the Furniture Manufacturing Industry (Natal).
- (iv) Industrial Council for the Baking and Confectionery Industry (Witwatersrand).
- (v) Industrial Council for the Metal Engineering Industry (Transvaal).
- (d) No. of Industrial Councils as at 31st December, 1937 48
- (ii) *No. of Conciliation Boards appointed during 1937 14*
- (i) South African Mine Workers' Union *versus* New State Areas, Limited.
- (ii) South African Association of Municipal Employees *versus* Town Council of the Municipality of Hercules.
- (iii) Forty Employees of Durban Municipal Bus and Trams Workshops *versus* Durban Corporation.
- (iv) South African Association of Municipal Employees *versus* Durban Corporation.
- (v) Durban Municipal Employees' Society *versus* Durban Corporation.
- (vi) South African Association of Municipal Employees *versus* Town Council of Germiston.
- (vii) Johannesburg Municipal Employees' Association *versus* City of Johannesburg.
- (viii) South African Association of Municipal Employees *versus* Council of Durban Corporation.
- (ix) South African Iron, Steel and Kindred Trades Association *versus* South African Iron and Steel Corporation, Limited.
- (x) Employees of South African Diamond Cutters' Industry *versus* Master Diamond Cutters' Association of South Africa.
- (xi) Transvaal Explosives and Chemical Workers' Union *versus* African Explosives and Industries, Limited.
- (xii) Building Workers' Industrial Union of South Africa, Queens-town *versus* Messrs. Tambllyn Bros., Matthew Bros., Mutual Joinery Works, and R. Clarke & Company.

(xiii) 114 Employess, members of the Port Elizabeth Brewery Employees' Union (unregistered) *versus* South African Breweries, Limited, Port Elizabeth.

(xiv) Chemical Workers' Industrial Union *versus* Messrs. Heynes Matthew, Limited, Capetown.

(iii) *Industrial Council Agreements published during 1937.*

No.	Name of Industry.	Government Notice No.	Date.
1	Baking and/or Confectionery Industry (Cape).....	1006	2/ 7/37
2	Baking and Confectionery Industry (Port Elizabeth and Uitenhage)	62	15/ 1/37
3	Bespoke Tailoring Industry of Port Elizabeth.....	1413	17/ 9/37
4	Bespoke Tailoring Industry (Witwatersrand).....	2025	31/12/37
5	Biscuit Manufacturing Industry of South Africa.....	343*	5/ 3/37
6	Brewing Industry, Capetown.....	1696	5/11/37
7	Brewing Industry, Witwatersrand.....	1338	3/ 9/37
8	Building Industry (Cape Peninsula).....	917*	18/ 6/37
9	Building Industry (Pietermaritzburg).....	1908*	10/12/37
10	Building Industry (Bloemfontein).....	63*	15/ 1/37
11	Building Industry (Port Elizabeth).....	1837	26/11/37
12	Canvas and Rope Working Industry, Witwatersrand and Pretoria.	1096*	23/ 7/37
13	Clothing Industry, Transvaal.....	787	21/ 5/37
14	Clothing Industry (Cape).....	753	14/ 5/37
15	Clothing Industry (Natal).....	825*	28/ 5/37
16	Engineering—Metal—Industry (Natal).....	1882	3/12/37
17	Engineering and Metal Industry (Cape)—General.....	527	9/ 4/37
18	Furniture Manufacturing Industry of the Union of South Africa..	1801	19/11/37
19	Furniture Industry (Cape).....	636	23/ 4/37
20	Furniture Manufacturing Industry (Natal).....	579*	16/ 4/37
21	Hairdressing Trade, Durban.....	742	14/ 5/37
22	Iron and Steel Manufacturing and Engineering Industry (Transvaal)	594*	16/ 4/37
23	Leather Industry of South Africa.....	218*	12/ 2/37
24	Meat Trade (Witwatersrand)—Retail.....	1005	2/ 7/37
25	Meat Trade (Witwatersrand)—Wholesale.....	1130*	30/ 7/37
26	Meat Trade—Retail—(Pretoria and Hercules).....	1988	24/12/37
27	Motor Industry (Transvaal).....	766*	21/ 5/37
28	Motor Industry (Eastern Province).....	2022	31/12/37
29	Motor Industry (Natal).....	852*	4/ 6/37
30	Motor Industry (Cape).....	769*	21/ 5/37
31	Motor Vehicle Driving Occupation (other than the transportation of passengers) (Cape).....	342	5/ 3/37
32	Motor and General Engineering Industry (East London).....	1391	10/ 9/37
33	Native Trade (Witwatersrand and Heidelberg).....	1725*	12/11/37
34	Road Passenger Transport Industry (Port Elizabeth).....	1790	19/11/37
35	Stevedoring (Loading and unloading of ships) Trade (Cape)....	959	25/ 6/37
36	Tea Room, Restaurant and Catering Trade.....	1794	19/11/37

* N.B.—In the case of these industries and trades the agreement was supplemented by a notice published in terms of Section 9 (4) of the Act.

(iv) *Approximate Number of Persons affected by Agreements and Awards.*

Date.	Conciliation Board Agreements.		Awards.		Industrial Council Agreements.		Totals.	
	Em- ployers.	Em- ployees.	Em- ployers.	Em- ployees.	Em- ployers.	Em- ployees.	Em- ployers.	Em- ployees.
31/ 3/37.....	24	818	1	971	4,612	53,316	4,637	55,105
30/ 6/37.....	24	818	1	971	5,068	58,423	5,093	60,212
30/ 9/37.....	2	42	1	971	5,120	57,750	5,123	58,763
31/12/37.....	6	137	2	2,113	6,423	69,390	6,431	71,640

(v) *Comparative Statement of Wage Regulating Instruments under the Industrial Conciliation Act.*

Date.	Number of			Approximate Number of	
	Industrial Council Agreements.	Conciliation Board Agreements.	Awards.	Employers.	Employees.
30/ 6/30.....	25	2	5	3,115	45,049
30/ 6/31.....	26	2	5	3,762	45,462
30/ 6/32.....	32	2	7	4,085	46,092
30/ 6/33.....	22	3	3	3,027	40,240
30/ 6/34.....	21	1	3	2,723	42,233
31/12/34.....	29	2	5	3,806	52,449
31/12/35.....	28	2	5	3,621	49,282
31/12/36.....	35	6	2	4,845	47,939
31/12/37.....	38	3	2	6,431	71,640

(vi). Disputes involving Cessation of Work, 1937.

No.	Industry or Trade.	Area.	DURATION.		EMPLOYEES AFFECTED.		APPROXIMATE NO. OF DAYS LOST BY MEN		ESTIMATED WAGES LOST BY	
			Days.	Hours.	Europeans.	Non-Europeans.	Europeans.	Non-Europeans.	Europeans.	Non-Europeans.
1	Municipal Tramways.....	Durban.....	4	—	2	—	8	—	£	s. d.
2	Gold Mining.....	Witwatersrand.....	7	—	150	—	1,050	—	1,410	0 0
3	Manufacture of Plywood and Laminated Woodwork.....	Bellville.....	—	3	20	180	7	62	—	—
4	Textile Industry.....	Durban.....	—	2½	38	103	10	27	3 10	0
5	Baking and Confectionery Trade.....	Johannesburg.....	—	2¼	—	95	—	30	—	—
6	Iron Foundry.....	Durban.....	1½	—	—	394	—	591	—	—
7	Municipal Waterworks Department...	East London.....	1	—	—	60	—	60	—	12 10 0
8	Woodworking.....	Knysna.....	6	—	20	40	118	235	39 6 0	46 14 0
9	Boxmaking.....	Durban.....	—	2	—	45	—	11	—	6 8
10	Building.....	Port Elizabeth.....	7	—	484	896	3,325	5,556	3,381	0 0
11	Coal Mining.....	Brakpan.....	—	3	—	40	—	13	—	—
12	Furniture.....	Johannesburg.....	—	3½	17	13	7	6	6 10	0
13	Building.....	Port Elizabeth.....	—	2	2	3	1	1	11 8	17 6
14	Motor Industry.....	Port Elizabeth.....	1	—	47	—	919	—	721 10 8	—
15	Gold Mining.....	Johannesburg.....	—	3	31	—	11	—	16 11 6	—
16	Building.....	Cape Division.....	—	2	—	40	—	10	—	—
17	S.A. Railways and Harbours Administration.....	Point Dock Area, Durban	12	—	—	650	—	7,800	—	1,000 0 0
18	Manufacture of Fertilizers, Dips, etc...	Umbogintwini.....	—	11	—	477	—	651	—	66 0 0
19	Baking and Confectionery Trade.....	Johannesburg.....	3	—	12	—	36	—	40 0 0	—
20	Coal Mining.....	Breyten.....	1	—	—	250	—	250	—	23 6 0
21	Sugar Manufacture.....	Illovo Estates, Natal...	2	—	—	31	—	62	—	—
22	Dept. of Posts and Telegraphs.....	Durban.....	½	—	83	—	41	—	—	—
23	National Road Construction.....	Victoria West.....	1	—	—	150	—	150	—	16 0 0
24	Messenger Boys in Government Departments.....	Pretoria.....	¾	—	170	—	113	—	—	—
25	Timber Trade.....	Durban.....	3	—	—	400	—	1,200	—	150 0 0
26	Fishing Industry.....	Durban.....	16	—	—	186	—	2,976	—	250 0 0
27	Coal Mining.....	Utrecht.....	1	—	—	420	5†	420	6 10	0 0
28	Soap Manufacture.....	Durban.....	1	—	—	13	—	13	—	—
29	Bridge Building (Div. Council).....	Somerset East*	nil.	nil.	—	35	—	nil.	—	—
30	Cartage.....	Johannesburg.....	2	—	—	596	—	1,192	—	137 17 9
31	Trunk Manufacturing.....	Johannesburg.....	2	—	1	67	2	134	9 0	27 0 0
32	Coal Mining.....	Dundee.....	1	—	—	314	16†	314	14 0 0	22 9 0
33	Engineering.....	Johannesburg.....	—	5½	—	60	—	45	—	6 0 0
34	Distillery (Wine and Brandy) Trade....	Capetown*	nil.	nil.	—	137	—	nil.	—	—
					1,077	5,695	5,669	21,809	5,639 18 10	4,231 6 11

* Strikers replaced by other workers.

† Includes employees, other than strikers, affected by the cessation of work.

(vii) *Lists of Registered Trade Unions and Employers' Organizations.*(a) *List of Registered Trade Unions.*

No.	Name of Union.	Name and Address of Secretary.
1	African Tin Workers' Union.....	J. Basson, P.O. Box 7831, Johannesburg.
2	Amalgamated Bricklayers Trade Union of South Africa	H. A. Wyeth, P.O. Box 1356, Johannesburg.
3	Amalgamated Engineering Union.....	E. A. Clements, P.O. Box 1168, Johannesburg.
4	Amalgamated Society of Woodworkers.....	T. C. Brown, P.O. Box 1095, Johannesburg.
5	Bloemfontein Furniture Workers' Industrial Union	L. M. Barnard, 44 Douglas Street, Bloemfontein
6	Bloemfontein Motor Transport Workers' Union	I. S. J. van Deventer, 47 Hanger Street, Bloemfontein.
7	Bloemfontein Tramway and Bus Employees' Union	J. C. Chambers, Tram Sheds, Bloemfontein. W. Potgieter (Asst. Sec.).
8	Border Clothing and Shirt Workers' Union...	Mrs. W. J. de Lange, 43 Smith Street, Kingwilliamstown.
9	Brewery Employees' Union (Cape Peninsula).	A. G. Forsyth, P.O. Box 2451, Capetown.
10	Building Workers' Industrial Union of South Africa	C. B. Tyler, P.O. Box 5378, Johannesburg.
11	Cape Butchers' Blockmen's and Ordermen's Association	F. G. Richfield, P.O. Box 1618, Capetown.
12	Cape Explosives Industrial Workers' Union..	V. Gibbon, Main Road, Strand, Cape Province.
13	Cape Furniture Worker's Union.....	M. Linde, 55 Queen's Road, Woodstock.
14	Cape Hairdressers' Employees' Union.....	M. Kagan, P.O. Box 2678, Capetown, Room 3, 73 Plein Street.
15	Capetown Gas Workers' Union.....	J. Williams, Trades Hall, Capetown.
16	Cape Musicians' Association.....	R. Hancock, 8 Rose Street, Mowbray, Capetown, P.O. Box 1787.
17	Capetown Stevedoring and Dock Workers' Union	H. W. October, Room 14, 57 Plein Street, Capetown.
18	Cape Motors Industry Employees' Union....	G. C. Morris, P.O. Box 1900, Capetown.
19	Cape Province Piano and Organ Tuners' Association	R. Stuart, P.O. Box 1239, Capetown.
20	Carriage and Wagon Examiners' and Repairers' Union	A. B. v. d. Walt, 10 Raapenburg Road, Mowbray, C.P.
21	Chemical Workers' Industrial Union.....	R. Alexander, Room 10 Saxe's Bldgs., 57 Plein Street, Capetown.
22	Coopering Trade Workers' Union.....	Frank H. Holland, P.O. Box 2884, Capetown.
23	Cycle Trade Workers' Union.....	M. J. Katts, Room 10, 57 Plein Street, Capetown.
24	Diamond Workers' Union.....	J. J. Bosch, 20a Seventh Avenue, Bez. Valley, Johannesburg.
25	Durban Improvement Workers' Union.....	B. W. Matthews (acting), P.O. Box 2275, Durban.
26	Garment Workers' Industrial Union (Natal)..	J. C. Bolton, P.O. Box 2103, Durban.
27	Durban Indian Municipal Employees Society.	S. L. Singh, 80 First Avenue, Durban.
28	Durban Municipal Employees' Society.....	M. Cambier (acting), 15 Colonization Bldgs., West Street, Durban.
29	Durban and District Transportation Employees' Union	W. R. Dunkley, 41 Gardener Street, Durban.
30	Durban Municipal Tramways and Motor Employees' Union	F. W. Payne, P.O. Box 835, Durban.
31	East London and Border Furniture Workers' Union	A. F. van Graan, 36 Hood Street, West Bank, East London.
32	East London Motor Industry Employees' Union	T. Dredge, 90 Caxton Street, East London.
33	Fishermen's Union of the Cape Province and the South West African Protectorate	Maj. Benischowitz, Westminster House, 122 Longmarket Street, Capetown.
34	Furniture Workers' Industrial Union.....	J. J. Botes, Oxford Street, Oudtshoorn.
35	Furniture Workers' Industrial Union (Transvaal)	A. M. Morkel, P.O. Box 2040, Johannesburg.
36	Furniture Workers' Industrial (Natal).....	J. C. Bolton, P.O. Box 2103, Durban.
37	Garment Workers' Union.....	E. S. Sachs, P.O. Box 6779, Johannesburg.
38	Garment Workers' Union of the Cape Peninsula	H. A. Evans, P.O. Box 1239, Capetown.
39	Grain and Flour Mill Workers' Union (Cape)..	F. J. Falken, P.O. Box 1239, Capetown.
40	Hotel, Bar and Catering Trade Employee' Association	Mathew Barnett, Athenian Chambers, 32 Shortmarket Street, Capetown.
41	Ironmoulders' Society of South Africa.....	C. V. Patterson, P.O. Box 3322, Johannesburg.
42	Johannesburg Municipal Employees' Association	Chas. Wheatley Reeves, P.O. Box 5995, Johannesburg.
43	Johannesburg Municipal Waterworks' Mechanics' Union	F. E. S. Poole, 54 Mabel Street, Rosettenville, Johannesburg.
44	Johannesburg Municipal Transport Workers' Union	William Riley, P.O. Box 3854, Johannesburg.
45	Johannesburg Municipal Workers' Union....	F. Botha, 32b Juta Street, Johannesburg.
46	Johannesburg Musicians Union.....	H. Gardner, P.O. Box 5837, 47 Corporation Buildings, Commissioner Street, Johannesburg.
47	Kaapsche Diamantbewerders Bond.....	W. C. Merks, Trades Hall, Capetown.
48	Kimberley Shop Assistants' Warehousemen and Clerks' Association	Miss A. M. Colvin, P.O. Box 356, Kimberley.
49	Knysna Woodworkers' Industrial Union.....	H. M. Liggett, Rawson Street, Knysna.
50	Manufacturing Tailors Workers' Association and Sick Benefit Society	L. Crusoe, P.O. Box 5343, Johannesburg.
51	Pietermaritzburg Municipal Tramways and Motor Employees' Union	F. Watts, 120 Havelock Road, Pietermaritzburg.
52	Mine Surface Officials' Association of South Africa	F. Billingham, P.O. Box 6849, Johannesburg.
53	Motor Lorry Drivers Employees' Union.....	H. A. Evans, Trades Hall, Capetown.
54	Motor Transport Workers' Union (Witwatersrand and Pretoria)	P. H. Knevitt, 51-52 Asher's Bldgs., cr. Fox and Joubert Streets, Johannesburg.
55	Natal Hairdressers' Employees' Industrial Union	Wm. Wanless, 22 Colonization Chambers, West Street, Durban.

No.	Name of Union.	Name and Address of Secretary.
56	Natal Baking and Confectionery Employees' Society	W. Edley, P.O. Box 692, Durban.
57	South African Broadcasting Employees' Union	Cecil J. Parker, 120 Aliwal Street, Durban.
58	Natal Liquor and Catering Trade Employees' Union	Samuel J. Joseph, P.O. Box 290, Durban.
59	Natal Meat Trade Employees' Union.....	C. R. Ping, P.O. Box 1455, Durban.
60	Natal Motor Industry Employees' Union....	B. Rintoul, 486 Smith Street, Durban.
61	Natal Musicians' Association.....	H. McKeechnie, P.O. Box 1317, Durban.
62	National Union of Leather Workers.....	A. v. d. Berg (acting), P.O. Box 3039, Port Elizabeth.
63	National Union of Operative Biscuit Makers and Packers of South Africa	R. Stuart, P.O. Box 1239, Capetown.
64	National Union of Distributive Workers.....	B. Edwards, 16 Trades Hall, Kerk Street, Johannesburg.
65	Netherlands Bank of South Africa Staff Society	J. Muller, P.O. Box 1005, Johannesburg.
66	Oat Meal Workers' Union.....	R. Alexander, Saxe's Bldgs., 57 Plein Street, Capetown.
67	Operative Bakers' Confectioners' and Conductors' Union, Port Elizabeth and Uitenhage	A. Eaton, 41 Bullen Street, Port Elizabeth.
68	Operative Bakers' Confectioners' and Conductors' Union	R. Stuart, P.O. Box 1239, Capetown.
69	Operative Plasterers' Trade Union of South Africa	G. Dykes, P.O. Box 4003, Johannesburg.
70	Orange Free State Motor Industry Employees' Union	J. Banks, P.O. Box 331, Bloemfontein.
71	Padmakersvereniging van Transvaal.....	F. de Rapper, P.O. Box 30, Bethal.
72	Port Elizabeth and District Tailors' Union...	N. Fredericks (Asst. Sec., E. Mallick), 16 Palm Street, P.O. Box 818, Port Elizabeth.
73	Port Elizabeth and Uitenhage Assistants Hairdressers' Union	J. Griselle, 9 Main Street, Port Elizabeth.
74	Port Elizabeth Furniture Workers' Union....	J. W. Watson, 1 Fowlds Bldgs., 159a Princess Street, Port Elizabeth.
75	Port Elizabeth Liquor and Catering Trades Employees' Union	H. J. Coupe, P.O. Box 660, Port Elizabeth.
76	Port Elizabeth Motor Industry Employees' Union	L. E. Morris, P.O. Box 433, Port Elizabeth.
77	Port Elizabeth Tramway and Bus Workers' Union	A. G. Forsyth, 14 Bain Street, Port Elizabeth.
78	Pretoria Baking Industrial Union.....	F. R. St. John Acton, P.O. Box 72, Pretoria.
79	Pretoria Hairdressers' Employees' Union....	H. Galgut, P.O. Box 70, Pretoria.
80	Pretoria Liquor and Catering Trades Employees' Union	S. H. Speneer, 212 Schoeman Street, Pretoria.
81	Pretoria Musicians' Association.....	A. Henning, P.O. Box 522, Pretoria.
82	Pretoria Retail Meat Trade (Employees') Union	D. Hannan, 173 Potgieter Street, Pretoria.
83	Pretoria Tramwaymen's Union.....	J. Hagen, P.O. Box 890, Pretoria.
84	Queenstown Municipal Employees' Association (non-Political)	R. L. Evans, P.O. Box 122, Queenstown.
85	Railway and Harbour Workers Union, Port Elizabeth	L. J. Smith, 11 Sprigg Street, Port Elizabeth.
86	Reef (Native Trade) Assistants' Union....	B. Weinbren, New Era Bldgs., cr. de Villiers and Loveday Streets, Johannesburg.
87	Rope and Mat Workers' Industrial Union (Natal)	H. Rochlin, 52 Field Street, Durban.
88	Running Staff Union and Benefit Society (S.A.R.A. & H.)	C. King, 5 Solomon Street, Braamfontein, Johannesburg.
89	S.A. Association of Assayers.....	James A. Milligan, P.O. Box 6343, Johannesburg.
90	S.A. Association of Dental Mechanics.....	A. F. Biebuyck, P.O. Box 2329, Capetown.
91	S.A. Engine Drivers' and Firemen's Association	R. Tennant, 11 Trades Hall, Kerk Street, Johannesburg.
92	S.A.R. & H. Artisan Staff Association.....	Jas. A. Adam, 5 Tower Bldgs., cr. Plein and Joubert Streets, Johannesburg.
93	S.A.R. & H. Employees' Union.....	F. Coeker, P.O. Box 1125, Capetown.
94	S.A. Association of Municipal Employees (Non-Political)	K. J. George, P.O. Box 62, Pretoria.
95	S.A. Boilermakers' Iron and Steel Workers' and Shipbuilders Society	B. Caddy, 16 New Trades Hall, Kerk Street, Johannesburg.
96	S.A. Canvas and Rope Workers' Union.....	J. O'Brien, P.O. Box 662, Johannesburg.
97	S.A. Cinematograph Operators' Union.....	I. E. Press, P.O. Box 7270, Johannesburg.
98	S.A. Coloured Mine Workers' Union.....	W. H. Paterson, P.O. Box 3677, Johannesburg.
99	S.A. Coloured Railway Workers' Union....	Nicolas du Plessis, Nkoti Street, Korsten, Port Elizabeth.
100	S.A. Commercial Travellers' Union (Transvaal)	Julius Gordon, P.O. Box 2188, Johannesburg.
101	S.A. Electrical Workers' Association.....	A. J. Smart, P.O. Box 91, Crown Mines, Johannesburg.
102	S.A. Insurance Employees' Association.....	Michael H. Kam, P.O. Box 3995, Johannesburg.
103	S.A. Iron and Steel Trades Association.....	John H. Nyschins, Tudor Chambers, 221 Church Street, Pretoria.
104	S.A. Meat Trade Employees' Union.....	J. J. N. Jooste, 144 Collins Street, Brixton, Johannesburg.
105	S.A. Mine Workers' Union.....	C. Harris, P.O. Box 2525, Johannesburg.
106	S.A. Operative Masons' Society.....	F. Hutchings, P.O. Box 3509, Johannesburg.
107	S.A. Postal Association (1/2/37) (Formerly S.A. Postmen's Association)	R. A. Shaw, P.O. Box 2004, Johannesburg.
108	S.A.R. and H. Chargemen's Association....	S. H. Rolfe, e/o Mechanical Engineer, S.A.R., Pretoria.
109	S.A.R. Locomotive Engineers' Mutual Aid Society	W. E. Bates, P.O. Box 1271, Capetown.
110	S.A.R. & H. Workers' Union (Non-European)	William Driver, 57 Plein Street, Capetown (Saxe's Bldgs.).
111	S.A.R.A. & H. Salaried Staff Association....	R. M. Banks, P.O. Box 6753, Johannesburg.
112	S.A.R. & H. Non-European Union.....	W. Hamer, Room 32 Trades Hall, Capetown.
113	S.A.R. & H. Indian Employees' Union.....	R. K. Moodley, 18 Club Arcade, Smith Street, Durban.

No.	Name of Union.	Name and Address of Secretary.
114	S.A. Reduction Workers' Association.....	A. A. Moore, P.O. Box 7060, Johannesburg.
115	S.A. Society of Bank Officials.....	F. R. Swan, P.O. Box 6935, Johannesburg.
116	S.A. Typographical Union.....	A. J. Downes, 30 Main House, Main Street, Johannesburg.
117	Sweetmakers' Union of South Africa.....	A. E. Smith, 4 Sussex House, 62 Rissik Street, Johannesburg.
118	Sweet and Chocolate Employees' Union....	A. G. Forsyth, P.O. Box 2451, Capetown.
119	Tailoring Workers' Industrial Union (Transvaal)	I. Wolfson, 52 Progress Bldgs., 156 Commissioner Street, Johannesburg.
120	Textile Workers' Industrial Union (South Africa)	I. Wolfson, 52 Progress Bldgs., 156 Commissioner Street, Johannesburg.
121	Tobacco Workers' Industrial Union (Oudtshoorn)	J. J. Botes, Oxford Street, Oudtshoorn.
122	Die Spoorbond.....	Jan P. Steenkamp, B.A., L.L.B., Posbus 5911, Johannesburg.
123	Tramway and Omnibus Workers' Union (Cape)	J. W. Emmerich, P.O. Box 1239, Capetown.
124	Transvaal Explosives and Chemical Workers' Union	J. Taylor, P.O. Northrand.
125	Transvaal Leather and Allied Trades Industrial Union	W. Kalk, P.O. Box 3400, Johannesburg.
126	Transvaal Motor Industry Employees' Union.	S. B. Fisher, 201 Manlin House, Harrison and Marshall Streets, Johannesburg.
127	Transvaal Retail Butchers', Blockmens' and Ordermens' Association	E. Cresswell, P.O. Box 6041, Johannesburg.
128	Trunk and Box Workers' Industrial Union (Transvaal)	J. F. Mackay, P.O. Box 859, Johannesburg.
129	Underground Officials' Association of South Africa	L. W. Gray, P.O. Box 5965, Johannesburg.
130	Western Province Building Electrical and Allied Trades Union	R. Stuart, P.O. Box 1239, Capetown.
131	Witwatersrand and Pretoria Tea Room, Restaurant and Catering Trade Employees' Union	A. F. Crisp, P.O. Box 6041, Johannesburg.
132	Witwatersrand Baking Employees' Association	A. M. Neilson, 28 Progress Bldgs., 154 Commissioner Street, Johannesburg.
133	Witwatersrand Brewery Employees' Union..	H. Kruger, 3 Cecil Terrace, Auckland Park, Johannesburg.
134	Witwatersrand Liquor and Catering Trades Employees' Union	J. H. Kidney, 19/20 Trades Hall, Kerk Street, Johannesburg.
135	Witwatersrand Haridressers' Employees' Union	R. H. Fleet, 11 Patley's Bldgs., cor. Joubert and Jeppe Streets, Johannesburg.

(b) List of Registered Employers' Organizations.

No.	Name of Organization.	Name and Address of Secretary.
1	Associated Manufacturers of Light Metal Products	H. N. Boam, P.O. Box 1338, Johannesburg.
2	Association of Road Mechanical Transport Owners	A. C. Sargeant, 132 Boston House, Strand Street, Capetown.
3	Bespoke Tailoring Employers' Association...	L. D. Kirsch, Sauer's Bldgs., cr. Loveday and Market Streets, Johannesburg.
4	Bloemfontein Master Builders and Allied Trades Association	H. R. S. Eason, P.O. Box 239, Bloemfontein.
5	Bloemfontein Furniture and Upholstery Manufacturers' Association	P. J. Coetzee, 2 Blignaut Street, Bloemfontein.
6	Bloemfontein Master Hairdressers' Organization	D. G. Bezuidenhout, 32 East Burger Street, Bloemfontein.
7	Boarding House Employers' Association.....	Miss I. Perkins, 114 St. George's Street, Capetown.
8	Bus Owners' Association.....	P. R. Pather, P.O. Box 670, Durban.
9	Cape Engineers' Founders' and Shipwrights' Association	W. J. Laite, P.O. Box 667, Capetown.
10	Cape Furniture Manufacturers' Association..	W. J. Laite, P.O. Box 667, Capetown.
11	Cape Hairdressers' Employers' Association..	William Green, 38 Wale Street, Capetown.
12	Cape Independent Butchers' Vigilance Association	Norman Benjamin, 141 Longmarket Street, Capetown.
13	Cape Licensed Victuallers and Hotelkeepers' Association	S. G. B. Miller, Barclay's Bank Chambers, St. George's Street, Capetown.
14	Cape Masters Bakers' and/or Confectioners' Association	W. J. Laite, P.O. Box 667, Capetown.
15	Cape Peninsula Commercial Employers' Organization	Kenneth White, P.O. Box 3160, Capetown.
16	Capetown and District Laundry Cleaners' and Dyers' Association	W. J. Laite, P.O. Box 667, Capetown.
17	Capetown Dock Employers' Association....	E. J. Cattell, 112 Exchange Bldgs., 28 St. George's Street, Capetown.
18	Cape Western and North-Western Leather Industries Employers' Association	W. J. Laite, P.O. Box 667, Capetown.
19	Cape Wholesale Clothing and Shirt Manufacturers' Association	W. J. Laite, P.O. Box 667, Capetown.
20	City Indian Taxi Owners' Association.....	Shaik Ahmed, 205 Retief Street, Pietermaritzburg.
21	Durban and District Laundry and Cleaners' and Dyers' Organization	E. C. Wilks, P.O. Box 191, Durban.
22	Durban and District Master Butchers' Association	J. H. Pickup, 291 Berea Road, Durban.
23	Durban & District Licensed Victuallers' Association	A. J. Munro, P.O. Box 337, Durban.
24	Durban & District Master Bakers' Association	A. H. Scott-Taylor, P.O. Box 1300, Durban.
25	Durban Hairdressers' Employers' Association (Gents)	L. Scott-Dudley, P.O. Box 2272, Durban.
26	East London & Border Furniture Manufacturers' Association	C. Cohen, P.O. Box 167, East London.
27	East London Engineers' & Founders' Employers' Association	G. M. Berlyn, P.O. Box 167, East London.
28	East London Licensed Victuallers' Association	W. H. Humphrey, P.O. Box 62, East London.
29	East London Master Builders' Association....	A. F. King, P.O. Box 271, East London.
30	East Rand Commercial Employers' Organization	J. R. Wootton, P.O. Box 254, Benoni.
31	Electrical Engineering and Allied Industries Association	H. N. Boam, P.O. Box 1338, Johannesburg.
32	Erection Engineers' Association.....	H. N. Boam, P.O. Box 1338, Johannesburg.
33	Federation of Master Printers of South Africa	M. Hennigin, P.O. Box 1200, Johannesburg.
34	Furniture and Upholstery Manufacturers' Association	B. Nelson, P.O. Box 1300, Durban.
35	Furniture Trades' Association.....	M. H. Kam, P.O. Box 3995, Johannesburg.
36	Gate and Fence Manufacturers' Association of the Transvaal	H. N. Boam, P.O. Box 1338, Johannesburg.
37	Kimberley Commercial Employers' Association	E. W. Mowbray, P.O. Box 383, Kimberley.
38	Kimberley Master Bakers' Association.....	J. R. Silson, 85 George Street, Kimberley.
39	Kingwilliamstown Master Builders and Allied Trades Association	W. L. Higgs, P.O. Box 75, Kingwilliamstown.
40	Ladies' Hairdressing Employers' Organization, Durban	Mrs. I. Harris (temporary), 51 Salisbury House, Smith Street, Durban.
41	Master Builders' and Allied Trades Association (Cape Peninsula)	A. N. Thompson, P.O. Box 1126, Capetown.
42	Master Builders' and Allied Trades' Association, Witwatersrand	K. G. Fleming, P.O. Box 2375, Johannesburg.
43	Master Builders' Association, Durban.....	B. E. Swinbourn, P.O. Box 591, Durban.
44	Master Builders' Association of Pietermaritzburg	W. M. Anderson, P.O. Box 307, Pietermaritzburg.
45	Master Diamond Cutters' Association of South Africa	J. C. Merkin, P.O. Box 3579, Johannesburg.
46	Master Tailors' Association of Port Elizabeth and Uitenhage	N. V. Lutman, Market Square, Port Elizabeth.
47	Maritzburg Master Hairdressers' Association	S. Katz, Theatre Bldgs., Church Street, Pietermaritzburg.
48	Midlands Furniture Manufacturers' Association	G. T. Downes, P.O. Box 3051, Port Elizabeth.
49	Midland and Border Leather Industry Manufacturers' Association	G. T. Downes, P.O. Box 3051, Port Elizabeth.
50	Natal Clothing Manufacturers' Association..	J. McKenzie, P.O. Box 886, Durban.
51	Natal Coal Owners' Society.....	H. J. S. Bell, P.O. Box 281, Durban.
52	Natal Engineers' and Founders' Association..	B. Nelson, P.O. Box 1300, Durban.
53	Natal Footwear, Tanning and General Leather Manufacturers' Association	B. Nelson, P.O. Box 1300, Durban.
54	National Association of Automobile Manufacturers of South Africa	H. J. Laite, P.O. Box 3051, Port Elizabeth. (G. T. Downes, assistant.)
55	National Association of Biscuit Manufacturers of South Africa	W. J. Laite, P.O. Box 667, Capetown.

No.	Name of Organization.	Name and Address of Secretary.
56	National Federation of Building Trade Employers in South Africa	K. G. Fleming, P.O. Box 2375, Johannesburg.
57	Newspaper Press Union of South Africa.....	M. Hennigin, Main House, P.O. Box 1200, 96 Main Street, Johannesburg.
58	Organization of Sweet Manufacturers of the Cape Peninsula	R. Burns, c/o J. & A. Buchanan, Ltd., 146 Sir Lowry Road, Capetown.
59	Port Elizabeth and District Meat Industry Employers Association	G. T. Downes, P.O. Box 3051, Port Elizabeth.
60	Port Elizabeth and Uitenhage Master Hairdressers' Association	John W. Coates, 68 Main Street, Port Elizabeth.
61	Port Elizabeth Clothing Manufacturers' Association	G. T. Downes, P.O. Box 3051, Port Elizabeth.
62	Port Elizabeth Engineers' Association.....	G. T. Downes, P.O. Box 3051, Port Elizabeth.
63	Port Elizabeth Licensed Victuallers' and Merchants' Association	A. Robertson, P.O. Box 391, Port Elizabeth.
64	Port Elizabeth Master Bakers' Association...	G. T. Downes, P.O. Box 3051, Port Elizabeth.
65	Port Elizabeth Master Builders' and Allied Trades Association	H. Locke, P.O. Box 489, Port Elizabeth.
66	Pretoria and District Master Butchers' Association	C. J. Roux, 218 van der Walt Street, Pretoria.
67	Pretoria Licensed Victuallers' Association....	R. Craggs, 83 Koedoe Bldgs., Pretorius Street, Pretoria.
68	Pretoria Master Bakers' Association.....	C. E. Acton, P.O. Box 357, Pretoria.
69	Pretoria Master Builders' and Allied Trades Association	G. M. Shields, P.O. Box 378, Pretoria.
70	Pretoria Master Hairdressers' Association....	A. Nathan, 255 St. Andries Street, Pretoria.
71	Pretoria District Merchant Tailors' Association	C. E. Acton, P.O. Box 357, Pretoria.
72	Private Hotel and Boarding House Proprietors' Association	P. Ensor-Smith, 35 Permanent Bldgs., Mercury Lane, Durban.
73	Reef (Native Trade) Employers' Association..	M. Smith, 4 New Era Bldgs., er. Loveday and de Villiers Streets, Johannesburg.
74	Refrigerator, Radio and Domestic Electrical Appliances Association	H. N. Boam, P.O. Box 1338, Johannesburg.
75	Retail Traders' Association for Native Trade, Witwatersrand and Heidelberg	Louis E. Kaplan, P.O. Box 6716, Johannesburg. (A. M. Henochsberg.)
76	Road & Passenger Transport Employers' Association (Cape)	A. M. P. Montgomery, 24 Wale Street, Capetown.
77	S.A. Brewing Industry Association.....	J. R. Sharp, P.O. Box 4581, Johannesburg.
78	S.A. Motor Industry Employers' Association..	Eric Blackwell, P.O. Box 5405, Johannesburg.
79	S.A. Soap and Candle Manufacturers' Association	H. J. Laite, P.O. Box 4581, Johannesburg.
80	South-Western Districts Leather Industries Association	A. M. Searle, Great Brak River, Cape Province.
81	South-Western Furniture Manufacturers' Association	Isaac J. Kahn, P.O. Box 74, Oudtshoorn.
82	Tea Room, Restuarant, Proprietors' and Caterers' Association	J. A. Perl, P.O. Box 6649, Johannesburg.
83	Transvaal Canvas and Allied Trades Association	H. N. Boam, P.O. Box 4581, Johannesburg.
84	Transvaal Chamber of Mines.....	Secs.: A. J. Limebeer, D. Smith. <i>General Manager</i> : W. Gemmill. P.O. Box 809, Johannesburg.
85	Transvaal Clothing Manufacturers' Association	D. Colrairie, P.O. Box 6533, Johannesburg.
86	Transvaal Coach and Wagon Builders' and Farriers' Association	H. B. Boam, P.O. Box 1338, Johannesburg.
87	Transvaal Engineers' and Founders' Association	F. C. Williams, P.O. Box 1338, Johannesburg.
88	Transvaal Footwear, Tanning and Leather Trades Association	H. N. Boam, P.O. Box 1338, Johannesburg.
89	Transvaal Furniture and Upholstery Manufacturers' Association	Michael Goldstone, P.O. Box 6519, Johannesburg.
90	Transvaal Iron and Steel Manufacturers' Association	F. C. Williams, P.O. Box 1338, Johannesburg.
91	Transvaal Sheet Metal Industry Employers' Association	H. N. Boam, P.O. Box 1338, Johannesburg.
92	Transvaal Structural Engineering Association	H. N. Boam, P.O. Box 1338, Johannesburg.
93	Transvaal Sweet Manufacturers' Association.	H. N. Boam, P.O. Box 1338, Johannesburg.
94	Transvaal Typewriter and Office Appliances Association	H. N. Boam, P.O. Box 1338, Johannesburg.
95	Witwatersrand and Pretoria Wholesale Butchers' Association	M. H. Kam, 31 Quebec House, cor. President and Small Streets, Johannesburg.
96	Witwatersrand Licensed Victuallers' Association	B. L. Smith, P.O. Box 2068, Johannesburg.
97	Witwatersrand Master Bakers' Association..	J. A. Perl, P.O. Box 6649, Johannesburg.
98	Witwatersrand Master Hairdressers' Association	H. S. Blank, P.O. Box 2507, Johannesburg.
99	Witwatersrand Mineral Water Manufacturers' Association	J. A. Perl, P.O. Box 6649, Johannesburg.
100	Witwatersrand Retail Master Butchers' Association	R. Simon, P.O. Box 6673, Johannesburg.

(viii) *Comparative Statement Showing Number and Membership of Registered Trade Unions and Employers' Organizations as at 30th September.*

Date.	Trade Unions.		Employers' Organizations.	
	Number.	Membership.	Number.	Membership.
1929.....	101	69,882	95	—
1930.....	118	75,496	110	5,058
1931.....	118	73,369	103	5,078
1932.....	114	75,848	89	4,386
1933.....	101	66,691	86	4,769
1934.....	99	77,737	84	5,004
1935.....	107	102,512	82	4,375
1936.....	111	149,893	92	6,560
1937.....	135	186,815*	100	8,517*

* A few returns were still outstanding.

(3) WAGE ACT.

The Wage Act, 1925, as amended, was repealed with effect from the 15th December, 1937, when the Wage Act, 1937, came into operation. The principal features of the new Act have been described earlier in this Chapter. The activities described hereunder were conducted almost entirely under the provisions of the old Act.

Wage Board Investigations and Determinations.—The following table gives particulars of the references issued to the Board during 1937:—

New References.

Trade.	Area.	Date of Reference.	Position at 31/12/37.
Furniture Industry.....	Oudtshoorn.....	22/1/37	Determination No. 58, published 10/12/37.
Hairdressing Trade.....	Witwatersrand and Pretoria	14/10/37	Investigation proceeding.
NOTE.—This reference replaced one issued on the 13th October, 1936, in respect of the Witwatersrand only.			
Motor Transport Driving.....	Durban.....	21/7/37	Investigation proceeding.
Laundrying, Cleaning and Dyeing Industry	Principal Industrial Areas	26/7/37	„ „
Commercial Distributive Trade	„	3/8/37	„ „

References were issued only in respect of those trades in which Wage Board action was deemed to be imperative, as it was felt that it would not serve any good purpose to issue a series of references for investigations which the Board would be unable to commence for a considerable time. The progress made with investigations standing over from the previous year and not completed in 1937 is reflected in the accompanying statement:—

Trade.	Area.	Date of Reference.	Position at 31/12/37.
Garment Making Trades.....	Principal Industrial Areas	6/4/36	Board considering terms of recommendation.
Meat Trade.....	Durban.....	31/7/36	Recommendation submitted 22/12/37.
Baking and Confectionery Trade	Witwatersrand.....	11/9/36	„ „
Unskilled Work.....	Capetown.....	22/9/36	Investigation proceeding.
Brick and Tilemaking.....	Cape Peninsula.....	} 22/9/36	„ „
Stone-Quarrying and Crushing.	Cape Peninsula.....		
Roadmaking.....	Capetown.....		

During the year under review, four Wage Board investigations resulted in the publication of determinations by the Minister, as follows:—

No.	Trade.	Area.	No. and Date of Government Notice.	Determination effective from.
55	Textile Industry.....	Union of South Africa..	No. 158 of 29/1/37..	8/ 2/37
56	Motor Transport Driving	Witwatersrand and Pretoria	No. 377 of 12/3/37..	29/ 3/37
57	Liquor and Catering Trade	Witwatersrand.....	No. 1420 of 17/9/37.	11/10/37
58	Furniture Manufacturing Industry	Oudtshoorn.....	No. 1907 of 10/12/37	20/12/37

The principal features of these determinations are described below.

Determination No. 55 replaced Determination No. 46, which had governed conditions of employment in the Textile Industry since 1933. The minimum rates of pay for all classes of workers were raised considerably, as indicated by the following comparative table:—

Class of Work.	Old Determination.		New Determination.	
	Period of Training.	Minimum Weekly Wage thereafter.	Period of Training.	Minimum Weekly Wage thereafter.
Skilled.....	} 6 months.....	£1 10 0	21 months.....	£2 5 0
Semi-skilled.....			12 months.....	£1 12 6
Unskilled.....		£1 0 0	—	£1 4 0

The Determination applicable to Motor Transport Driving (Witwatersrand and Pretoria) operates in the following trades:—

- (a) The conveyance or transportation of goods;
- (b) the manufacture of explosives, gases, etc., and
- (c) the Commercial Distributive Trade.

The prescribed minimum wages are:—

<i>Pay-load of Vehicles Driven.</i>	<i>Minimum Weekly Wage.</i>
(i) Under 1 ton	£3 0 0
(ii) 1 ton and over but not including 3 tons ...	3 10 0
(iii) 3 tons	3 17 6
(iv) Over 3 tons but not exceeding 5 tons	4 5 0
(v) Over 5 tons but not exceeding 7 tons	5 0 0
(vi) Over 7 tons	6 0 0

The rate of pay for driving a steam wagon is £6 per week. Additional payments are laid down where trailers are attached to motor vehicles, or explosives are carried. The normal working hours are fixed at fifty-two per week (nine on five days and seven on the sixth day). The total hours of work (normal plus overtime) on any day must not exceed eleven, and the overtime rate is one and one-third times the ordinary wage. In cases where the exigencies of the trade necessitate working long hours at certain periods (e.g. the Coal Trade and Furniture Removal Trade), the normal hours of work may be averaged over a period of four weeks.

The publication of a Determination under the Wage Act in respect of the Liquor and Catering Trade on the Witwatersrand was necessitated by the collapse of the Industrial Council which had functioned for a number of years. The following summary gives the principal minimum rates of pay for full-time employees:—

Class of Worker.	Period of Training.	Minimum Weekly Wage thereafter.
Barman.....	Four years.....	£ s. d. 4 13 6
Cook (male).....	Five years.....	3 4 8
Cook (female).....	Three years.....	2 17 9
Porter.....	Two years.....	3 0 0
Waiter.....	Three years.....	2 10 10
Waitress.....	One year.....	2 7 6
Labourer.....	—	1 0 0

In its annual report, which is printed in this chapter, the Wage Board mentions certain difficulties encountered in endeavouring to arrive at a fair minimum wage in this trade. The circumstances of the trade also necessitated fixing longer hours of work than those usually prescribed in Determinations. The Determination permits a fifty-four hour week in a six-day establishment (fifty-eight in a seven-day establishment), while the normal hours for unskilled workers are sixty and seventy for six-day and seven-day establishments respectively. Overtime, which must be paid for at the rate of one and one-third times the prescribed wage, is limited to eight hours per week.

Determination No. 58 (Furniture Manufacturing Industry, Oudtshoorn), fixed the following minimum rates of pay for a forty-eight hour week, overtime being payable at one-and-a-quarter times the minimum rates:—

Class of Work.	Period of Training.	Minimum Weekly Wage thereafter.
Skilled.....	Five years.....	£3, rising to £3. 10s. twelve months after the date of commencement of the Determination
Semi-skilled.....	Two years.....	£1. 12s. 6d.
Unskilled.....	—	15s. rising to 18s. six months after the date of commencement of the Determination.

The above summaries refer only to the principal provisions of the Determinations, which also contain the usual clauses dealing with such matters as holidays, rest periods and other conditions of employment.

Determinations Operative at 31st December, 1937.—The following statement gives particulars of the Determinations operative at 31st December, 1937:—

No.	Industry or Trade.	Area.	Approximate Numbers Affected.	
			Em- ployers.	Em- ployees.
52	Baking and Confectionery.....	Durban and Pietermaritzburg.	46	768
22	Barmen.....	Bloemfontein and Kimberley..	35	50
44	Bespoke Tailoring.....	Principal Industrial areas, excluding the Witwatersrand and Port Elizabeth	572	1,627
37	Catering.....	Principal Industrial areas, excluding the Witwatersrand	284	786
42	Clothing Manufacturing.....	Port Elizabeth, Uitenhage, East London, Kingwilliamstown, Bloemfontein and Kimberley	28	727
38	Commercial Distributive.....	Principal Industrial areas....	11,268	46,098
58	Furniture Manufacturing.....	Oudtshoorn.....	6	86
45	Glass Bevelling and Silvering....	Union.....	22	136
40	Hairdressing.....	Capetown.....	142	406
41	Hairdressing.....	Pretoria.....	27	65
47	Hairdressing.....	Port Elizabeth and Uitenhage.	18	41
49	Hairdressing.....	Bloemfontein.....	21	32
43	Laundering, Cleaning and Dyeing	Principal Industrial areas....	187	2,611
57	Liquor and Catering.....	Witwatersrand.....	169	1,931
56	Motor Transport Driving.....	Witwatersrand and Pretoria...	1,249	2,619
48	Sweet Manufacturing.....	Principal Industrial areas....	54	2,008
19	Tea, Coffee and Chicory.....	Principal Industrial areas....	36	703
55	Textile Manufacturing.....	Union.....	11	2,668
25	Unskilled Employment.....	Bloemfontein.....	811	5,232
TOTALS.....			14,986	68,594

The following Determinations were wholly or partly suspended during the currency of industrial council or conciliation board agreements:—

No.	Industry or Trade.	Area in which suspended.
44	Bespoke Tailoring Industry.....	Witwatersrand and Port Elizabeth.
54	Building Industry.....	Port Elizabeth.
37	Catering.....	Witwatersrand.
42	Clothing Manufacturing.....	Witwatersrand, Pretoria, Durban and Cape Peninsula.
50	Furniture Manufacturing Industry.....	Principal Industrial areas.
53	Native Trade.....	Witwatersrand and Heidelberg.

Exemptions.—The appended statement of exemptions granted under section *ten* of the Wage Act, 1925, again shows a substantial decrease in comparison with the previous year, indicative of the fact that employment at wages equivalent to, or in excess of the prescribed minima was readily available. The majority of the exemptions from wage provisions were in respect of persons who were unable to earn the full wage by reason of old age, physical disability or, in the Commercial Distributive Trade, lack of experience in the class of work in which they were employed. In order to meet the difficulties of certain trades which were unable to comply with all the provisions of Determination No. 56 (Motor Transport Driving, Wit-

watersrand and Pretoria), in regard to hours of work, it was necessary to grant the exemptions described hereunder. In each case, exemption was granted subject to conditions which were substantially not less favourable to the employees concerned than the provisions of the Determination.

Mineral water manufacturers, whose trade is subject to an annual seasonal fluctuation, were granted exemption from certain of the provisions in regard to the hours of work of drivers of motor vehicles, subject to observance of the following normal hours of work:—

From 1st February to 30th September 46 hours per week.

Other periods of the year 60 hours per week.
Overtime to be paid at one and one-third times the prescribed minimum wage, on the basis of a fifty-two hour normal working week.

Ice-cream manufacturers subject to Determination No. 56 also obtained exemption from certain restrictions in regard to the hours of work applicable to drivers of motor vehicles, with the proviso that the normal hours of work should not exceed fifty-two per week and that the total working hours on any one day should be limited to eleven. An employee required to work on a Sunday must be given an alternative day off, or extra payment for the Sunday work. Another trade which found it impossible to comply strictly with the prescribed hours of work for motor vehicle drivers on the Witwatersrand and in Pretoria was the milk distribution trade, and exemption was accordingly granted, on application, subject to the observance of a nine-hour day and a fifty-two hour week.

Exemptions Granted under the Wage Act.

No.	Determination.	Number Granted.				Total Current at End of December.			
		1936.	1937.			1936.	1937.		
			From Wage Provi-sions.	From all Other Provi-sions.	Total.		From Wage Provi-sions.	From all Other Provi-sions.	Total.
52	Baking and Confectionery Trade, Natal.....	4	5	4	9	2	2	5	7
22	Barmen, Bloemfontein and Kimberley.....	1	1	—	1	3	2	—	2
44	Bespoke Tailoring Industry....	11	9	8	17	14	9	10	19
54	Building Industry, Port Elizabeth	47	3	4	7	76	—	—	—
37	Catering Trade.....	—	7	12	19	3	5	14	19
42	Clothing Manufacturing Industry	116	31	1	32	27	20	1	21
38	Commercial Distributive Trade.	440	279	70	349	310	222	58	280
50	Furniture Manufacturing Industry	58	18	—	18	17	—	—	—
45	Glass Beveiling and Silvering Industry.....	—	—	1	1	—	—	—	—
40, 41, 47, 49	} Hairdressing Trade.....	7	8	2	10	5	4	1	5
43	Laundrying Cleaning and Dyeing Industry.....	2	24	1	25	11	20	—	20
56	Motor Transport Driving, Witwatersrand and Pretoria.....	—	34	22	56	—	31	22	53
53	Native Trade, Witwatersrand..	11	—	—	—	—	—	—	—
19	Tea, Coffee and Chicory Industry	11	10	—	10	5	3	—	3
46 and 55	} Textile Manufacturing Industry	—	6	—	6	1	3	—	3
25	Unskilled Employment, Bloemfontein.....	4	4	—	4	22	23	—	23
TOTALS.....		712	439	125	564	496	344	111	455

Supreme Court Decisions.

Two appeals which necessitated an interpretation of the provisions of Determination No. 38 (Commercial Distributive Trade) came before the Supreme Court during the year. The judgments are summarized hereunder:—

S. Jocum vs. *Rex* (C.P.D., 20.5.37).—Persons engaged in the following operations are declared, in clause 1 (a), to be excluded from the Determination:—

“ Male employees employed exclusively in one or more of the following operations:—

- Loading or unloading goods on or from delivery vehicles;
- sorting or stacking goods in a warehouse;
- receiving or stacking products of agriculture;
- carrying or moving goods;
- delivering goods;
- cleaning vehicles.”

The Court considered that this clause was intended to exclude from the Determination persons employed on manual labour in relation to goods, and probably, persons who supervised such labour. It was held that a person who, in addition to work of this sort, made out consignment notes, was not excluded from the Determination.

Rex vs. Ginnes, Kaplan and Fraser (T.P.D., 20.9.37).—The Court held that experience gained in an office or shop outside the Union must be regarded as “employment” for the purpose of deciding whether an employee is a “qualified employee”, as defined in Determination No. 38.

Of the two other Supreme Court cases during the year, one (*Kwong See vs. Rex*) is dealt with in Section (2) of this portion of the Chapter, as the point at issue arose primarily under the Industrial Conciliation Act. In the remaining case (*Rex vs. Trisos, O.P.D. 9.6.37*), the Court held that Determination No. 25 (Unskilled Employment, Bloemfontein), applied to persons working in the kitchen of restaurant which was itself a “shop”, as defined in the Determination. The Court took the view that the whole premises including the kitchen must of necessity form part of the shop.

(4) ENFORCEMENT OF WAGE REGULATING MEASURES.

Industrial Councils are responsible for ensuring compliance with agreements in establishments which are represented on the councils, the assistance of the Department being invoked, where necessary, in respect of non-party employers. The provision under the new Act, whereby the powers of inspectors are granted to council agents specially designated by the Minister for that purpose should enable the majority of councils to assume complete responsibility for the enforcement of their agreements. Conciliation board agreements and arbitration awards, under the Industrial Conciliation Act, and determinations under the Wage Act, are enforced by the Department through its inspectors. In the past, the Department endeavoured, wherever possible, to secure observance of the prescribed minimum wages and conditions of employment without recourse to legal action. Prosecutions were instituted only against employers who refused or failed to adjust any irregularities. It was recently decided to adopt a stricter policy and the present instructions to inspectors are that cases where a previous contravention by the same employer is on record must be referred to the Public Prosecutor unless the offence is of a minor nature and occurred in circumstances which would not justify the institution of court proceedings without giving the employer an opportunity to adjust the matter voluntarily.

In order to secure the co-operation of employers in the administration of determinations under the Wage Act, Divisional Inspectors have been instructed that, when necessary, meetings of employers affected by departmental rulings should be called, in order to explain the Department's interpretation of points in regard to which difficulty has arisen, particularly when such interpretations necessitate an alteration in practices previously regarded as being in compliance with the law. In calling meetings of this sort, the co-operation of employers' organizations concerned will be sought.

In so far as the enforcement of determinations under the Wage Act is concerned, the Department has always adopted the view that it is entitled to look to organizations of employers and employees, where these exist, for assistance in the administration of wage regulating measures, and co-operation of this nature is usually readily forthcoming. An interesting example occurred in the Cape Peninsula where a newly-formed union obtained from its members information which led to the detection of a number of contraventions of the wage determination for the Hairdressing Trade.

One of the most difficult determinations to enforce is that relating to the occupation of Motor Transport Driving on the Witwatersrand and Pretoria. The statistics published in paragraph (3) show that the 2,619 employees affected are scattered over a large number of firms (1,249), and the difficulties of enforcement are further complicated by the fact that the employees are on the road during the major portion of their working hours. At an early stage in the administration of the Determination an adverse decision in a Magistrate's Court delayed effective enforcement for a period of nearly five months, pending the hearing of an appeal by the Supreme Court, which reversed the Magistrate's finding. Judgment was not delivered until the 16th March, 1938, and the case (*Rex vs. Port*) will be dealt with more fully in the following annual report.

Enforcement of Wage Regulation in Natal.—In evidence given by representatives of the South African Indian Congress before the Select Committee on the Wage and Industrial Conciliation Bills, during the 1937 session of Parliament, it was alleged that in the enforcement of wage regulating instruments in Natal, discrimination against Indian firms was practised by agents of industrial councils and by inspectors of the Department. In a letter to the Minister the Congress suggested that an enquiry be conducted with a view to removing the friction and misunderstanding which was stated to exist between the Indian community and those respon-

sible for the enforcement of wage regulating measures. An investigation, at which all the parties concerned were given the opportunity of tendering evidence, was conducted by the Secretary for Labour and Social Welfare at Durban in April. The findings, which were submitted to the Minister on the 13th April, indicated that the allegations of racial discrimination were unjustified, and that the frequent and intensive visits of inspection which gave rise to the complaint were due to the extent of the evasion of wage regulating measures in certain establishments.

In the course of further correspondence, the Congress suggested the formation of a small committee in Durban, whose function it would be to work in close collaboration with the Department, with a view to improving the relationship between European and Indian employers and securing an honest observation of the provisions of industrial legislation so far as Indians are concerned. The proposal met with approval and the Minister expressed the hope that the Congress would be able to give effect thereto. At the end of the year the matter had not reached finality.

Inspections.—The statistics appearing at the end of this section of the report show that the number of departmental inspectors increased from 52 to 63 during the year 1927; further appointments are being made in order to enable the Department to meet requirements arising from the rapid increase in industrial activity during recent years. At the end of December, the total number of employees subject to wage regulation under the Industrial Conciliation and Wage Acts was 140,234, an increase of 24,521 over the corresponding figure at the close of the previous year. Inspections carried out by departmental inspectors under the Industrial Conciliation and Wage Acts increased from 10,390 in the previous year to 13,610 in 1937. Over the same period, the total number of inspections including those under the Factories and Workmen's Compensation Acts, increased by 28 per cent. A special survey of the Crayfish Canning Industry was made early in the year. The wages and conditions of employment of the persons employed in the industry in the Cape Province were investigated and concurrently inspections under the Factories Act were made. The earnings of the majority of the employees were found to be very low, but as no legislation on the subject exists at present no action was possible. Steps were, however, taken to see that the provisions of the Factories Act were observed. At the request of the South West Administration a Senior Officer of the Department carried out an investigation into this industry at Luderitzbucht. A full report on the subject was made to the Secretary for South West Africa.

Prosecutions.—There was a substantial increase in the number of prosecutions during the year 1937, the total number of convictions obtained under the Industrial Conciliation and Wage Acts being 568, compared with 395 the previous year. This increase was due partly to additional inspections, and to the stricter policy which was pursued in regard to prosecuting offenders. Another contributory factor was the extension of the scope of wage regulation, due to increased industrial activity. Particulars of prosecutions and convictions under the Industrial Conciliation and Wage Acts are contained in the tables appearing at the end of this section.

Underpayment of Wages.—The total sum of money collected by departmental inspectors in respect of underpaid wages or other remuneration due to employees amounted to £16,549. 19s. 10d., and this amount was duly paid over to the 2,592 employees concerned. The amount ordered to be paid into Court as the result of convictions for underpayment during the year was £5,257. 5s. 0d. The amount actually paid in terms of orders of court totalled £2,918. 12s. 4d., of which £804. 13s. 1d. was paid to the Consolidated Revenue Fund, in accordance with the terms of the relative orders, and the balance to the employees concerned. The total amount collected and paid out by the Department was £19,468. 12s. 2d., being £4,780. 14s. 5d. more than in the previous year. The amount remaining unpaid in respect of orders of court was £4,840. 9s. 4d., representing an increase of £610. 10s. 10d. over the corresponding amount for the previous year. Although the Department makes every endeavour to ensure payment of amounts ordered to be paid in terms of the relative provisions of the Acts, it is frequently found that the offender has no assets and is unable to comply with the order. Civil imprisonment orders are obtained in cases where there is a reasonable possibility of obtaining payment by that means. In order to check the activities of persons who employ workers without the financial means to pay the prescribed wages, the new Acts make provision for the cancellation of the registration certificates of employers who fail to comply with orders of Court for the payment of arrear wages. It then becomes illegal for the offender to employ any person in the trade or industry concerned.

Government Contracts and Manufacturers' Rebate Licences.—The Department continued to co-operate with the Union Tender and Supplies Board in order to ensure that Government contractors observed the prescribed conditions of employment. In September, 1937, the Tender Board regulations were amended, and provision was included to ensure that approved tenderers complied with the requirements of industrial legislation and also employed a reasonable proportion of civilized labour in unskilled and semi-

skilled occupations. The Board is required to consult the Department in deciding whether any applicant for inclusion in a list of approved tenderers is in compliance with this requirement. At the end of the year, applications for admission to an approved list of tenderers for the manufacture and supply of furniture were under consideration. With a view to obtaining the co-operation of the industry concerned, the Department requested the National Industrial Council of the Furniture Industry to furnish suggestions in regard to the proportion of civilized labour which should be employed in unskilled and semi-skilled occupations in furniture manufacturing.

Further efforts were made during the year to extend to the Railway and Harbours Tender Board, the system of co-operation which has worked successfully between the Department and the Union Tender and Supplies Board. The Railway Administration was unable to agree to this proposal, but requested that lists of persons convicted of contravening industrial legislation be supplied from time to time.

Several investigations were conducted by departmental officers into the conditions of employment observed by firms registered as manufacturers for the purpose of importing raw materials free of duty. Where conditions were found to be unsatisfactory, the firms concerned were warned by the Board of Trade and Industries to effect the desired improvement. A special survey of the paint manufacturing trade was made in Durban and Johannesburg, and information obtained was under consideration at the end of the year.

STATISTICS.

(i) *Number of Inspectors and Inspections.*

(a) *Inspecting Staff at 31st December, 1937.*

Divisional Inspectorate.	Number of				
	Divisional Inspectors.	Inspectors of Factories.		Industrial Inspectors.	Total Inspectors.
		Part I.	Part II (Engineering).		
Johannesburg.....	1	3	5	8*	17
Pretoria.....	1	—	—	2	3
Durban.....	1	2	3	6	12
Capetown.....	1	3	3	9	16
Port Elizabeth.....	1	2	2	5*	10
East London.....	1†	—	—	1	2
Bloemfontein.....	1	—	1‡	1‡	3
TOTALS.....	7	10	14	32	63

* Includes one officer under Section 14 of the Apprenticeship Amendment Act, 1930.

† Also acts as Inspector of Factories (Part I).

‡ Stationed at Kimberley.

(b) *Number of Inspections during 1937.*

Inspectorate.	Factories Act.		Industrial Conciliation Act.	Wage Act.	Apprenticeship Act.	Workmen's Compensation Act.	Miscellaneous.	Total.
	Part I.	Part II.						
Johannesburg.	3,647	4,258	536	3,342	703	1,674	564	14,724
Pretoria.....	—	—	219	1,350	—	528	576	2,673
Capetown.....	1,407	3,006	920	1,863	284	435	564	8,479
Durban.....	1,540	3,840	246	2,254	115	394	340	8,729
Port Elizabeth	900	2,086	109	1,183	3	175	191	4,647
East London..	320	—	342	345	99	161	258	1,525
Bloemfontein..	274	569	194	707	68	52	80	1,944
TOTALS...	8,088	13,759	2,566	11,044	1,272	3,419	2,573	42,721

(ii) *Number of Prosecutions and Convictions.*(a) *Industrial Conciliation Act.*

Instrument.	1936.		1937.	
	Prosecutions.	Convictions.	Prosecutions.	Convictions.
Act.....	4	4	10	7
Baking Industry.....	3	2	5	4
Bespoke Tailoring Industry.....	13	11	—	—
Building Industry.....	236	214	295	269
Clothing Industry.....	13	13	17	17
Commercial Distributive Trade.....	3	3	3	3
Engineering Industry.....	5	5	3	3
Furniture Industry.....	21	14	25	23
Leather Industry.....	4	4	3	3
Liquor and Catering Trade.....	1	1	1	—
Meat Trade (Wholesale).....	8	8	2	2
Meat Trade (Retail).....	—	—	2	2
Motor Industry.....	22	19	10	6
Motor Vehicle Driving Occupation.....	—	—	4	3
Native Trade.....	—	—	1	1
Printing and Newspaper Industry.....	13	12	23	22
Tea Rooms and Restaurants.....	15	14	10	10
Hairdressing Trade.....	—	—	2	2
TOTALS.....	361	324	416	377

(b) *Wage Act.*

Determination.		1936.		1937.	
No.	Trade or Industry.	Prose- cutions.	Convic- tions.	Prose- cutions.	Convic- tions.
52	Baking and Confectionery Trade, Natal..	1	1	2	2
22	Barmen, Bloemfontein and Kimberley.....	—	—	1	1
44	Bespoke Tailoring Industry.....	3	2	5	5
54	Building Industry, Port Elizabeth.....	16	13	22	15
37	Catering Trade.....	3	3	5	5
42	Clothing Manufacturing Industry.....	7	5	17	15
38	Commercial Distributive Trade.....	21	18	38	33
50	Furniture Manufacturing Industry.....	6	6	3	3
45	Glass Bevelling and Silvering Industry....	1	1	—	—
40, 41, 47, 49	} Hairdressing Trade.....	8	8	47	40
43	Laundering, Cleaning and Dyeing Industry	15	12	13	12
56	Motor Transport Driving, Witwatersrand and Pretoria.....	—	—	6	5
53	Native Trade, Witwatersrand and Heidelberg	—	—	2	2
48	Sweet Manufacturing Industry.....	1	1	3	2
19	Tea, Coffee and Chicory Industry.....	—	—	3	3
25	Unskilled Employment, Bloemfontein.....	—	—	3	3
	Miscellaneous charges.....	1	1	46	45
	TOTALS.....	83	71	216	191

(iii) *List of Supreme Court Cases, 1937.*

Case.	Court.	Date.
INDUSTRIAL CONCILIATION ACT.		
C. A. Rapanos <i>versus</i> Rex.....	T.P.D.	15/ 1/37
Rex <i>versus</i> Lobb.....	C.P.D.	22/ 3/37
Andrews <i>versus</i> Rex.....	T.P.D.	6/ 4/37
Federation of Master Printers of South Africa <i>versus</i> Minister of Labour	T.P.D.	22/ 4/37
J. Schulman <i>versus</i> Rex.....	C.P.D.	30/ 4/37
Haffejee's Furniture Factory and Others <i>versus</i> Rex.....	N.P.D.	26/ 6/37
Kwong See <i>versus</i> Rex.....	E.D.L.D.	22/ 7/37
Rapanos <i>versus</i> Jim Mabasa.....	T.P.D.	16/ 9/37
Tramway and Omnibus Workers Union <i>versus</i> G. A. Heading.....	A.D.	13/10/37
N. Sianis <i>versus</i> Rex.....	C.P.D.	2/11/37
Jaffers, Barwood, Demovitch & Abery <i>versus</i> Rex.....	E.D.L.D.	9/11/37
Giles and Others <i>versus</i> Minister of Labour.....	T.P.D.	3/12/37
WAGE ACT.		
S. Jocum <i>versus</i> Rex.....	C.P.D.	20/ 5/37
Rex <i>versus</i> J. Trisos.....	O.P.D.	9/ 6/37
Kwong See <i>versus</i> Rex.....	E.D.L.D.	22/ 7/37
Rex <i>versus</i> S. Ginnes, S. Kaplan and H. Fraser.....	T.P.D.	20/ 9/37

(iv) *Arrear Wages and Underpayments.*

(a) *Underpayments Recovered by Department without recourse to legal action.*

(The figures in brackets represent the number of employees affected.)

Inspectorate.	Factories Act.	Industrial Conciliation Act.	Wage Act.	Miscellan- eous.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Johannesburg.....	19 13 1 (7)	—	6,141 3 8 (995)	9 0 0 (2)	6,169 16 9 (1,004)
Pretoria.....	—	199 9 0 (46)	815 4 7 (109)	35 6 1 (20)	1,049 19 8 (175)
Durban.....	10 0 0 (1)	—	2,619 7 11 (266)	—	2,629 7 11 (267)
Capetown.....	—	680 15 6 (173)	2,039 12 10 (316)	296 17 0 (9)	3,017 5 4 (498)
Port Elizabeth.....	—	55 15 4 (3)	1,722 1 5 (288)	—	1,777 16 9 (291)
East London.....	—	18 12 6 (4)	64 13 11 (17)	5 2 9 (5)	88 9 2 (26)
Kimberley..... } Bloemfontein..... }	160 7 2 (66)	611 6 8 (83)	1,045 10 5 (182)	—	1,817 4 3 (331)
TOTALS.....£	190 0 3 (74)	1,565 19 0 (309)	14,447 14 9 (2,173)	346 5 10 (36)	16,549 19 10 (2,592)

(b) Orders of Court, under the Industrial Conciliation Act and Wage Act.
Industrial Conciliation Act.

Inspectorate.	*Amounts Ordered to be Paid to		Amounts Paid to		Irrecoverable.		Unpaid Balance Due to	
	Employees.		C.R.F.†.		Employees.		Employees.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Johannesburg.....	3,486	3 1	713	8 6	909	10 9	296	16 2
Pretoria.....	245	5 2	178	1 1	54	7 6	43	0 3
Durban.....	113	13 1	210	2 3	40	19 1	2	11 4
Capetown.....	1,127	13 4	168	19 0	297	16 6	10	8 9
Port Elizabeth.....	—		—		—		—	
East London.....	14	3 5	5	6 3	13	0 11	5	6 3
Kimberley.....	13	10 6	2	0 0	9	13 6	2	0 0
Bloemfontein.....								
TOTALS.....	5,000	8 7	1,277	17 1	1,325	8 3	360	2 9

Wage Act—Section 8 (2) (b).								
Johannesburg.....	304	8 6	381	19 4	277	14 8	258	0 0
Pretoria.....	84	11 9	2	8 3	22	15 0	—	
Durban.....	756	2 3	78	16 4	27	16 8	3	13 4
Capetown.....	864	17 8	62	5 2	251	19 2	15	11 11
Port Elizabeth.....	352	6 1	237	14 11	139	17 11	162	5 1
East London.....	—		—		—		—	
Kimberley.....	68	7 7	5	0 0	68	7 7	5	0 0
Bloemfontein.....								
TOTALS.....	2,430	13 10	768	4 0	788	11 0	444	10 4

Total Orders under both Acts.								
Johannesburg.....	3,790	11 7	1,095	7 10	1,187	5 5	554	16 2
Pretoria.....	329	16 11	180	9 4	77	2 6	43	0 3
Durban.....	869	15 4	288	18 7	68	15 9	6	4 8
Capetown.....	1,992	11 0	231	4 2	549	15 8	26	0 8
Port Elizabeth.....	352	6 1	237	14 11	139	17 11	162	5 1
East London.....	14	3 5	5	6 3	13	0 11	5	6 3
Kimberley.....	81	18 1	7	0 0	78	1 1	7	0 0
Bloemfontein.....								
TOTALS.....	7,431	2 5	2,046	1 1	2,113	19 3	804	13 1

* Includes unpaid amounts carried forward from previous year.

† Consolidated Revenue Fund.

2. REPORT OF THE WAGE BOARD.

Chairman: MR. F. MCGREGOR.

Members: DR. J. H. BOTHA AND MR. W. H. WINDSOR.

During the year 1937, Determinations were made and became operative in the Textile Manufacturing Industry (Union), Motor Transport Driving (Witwatersrand and Pretoria), Liquor and Catering Trade (Witwatersrand), and the Furniture Manufacturing Industry (Oudtshoorn). Reports and recommendations in respect of the Meat Trade (Durban) and the Baking and Confectionery Trade (Witwatersrand) were completed but were held back owing to the Board's desire to make use of the additional powers contained in the 1937 Wage Act. Investigations were also carried out into the Garment Making Trades (Union), Roadmaking and Unskilled Work in certain occupations (Capetown), Quarrying and Stone-crushing, Brick and Tile-making (Cape Peninsula), Hairdressing (Witwatersrand and Pretoria), Woodworking and Furniture (George, Knysna and Humansdorp). A commencement was made with the collection of information in the occupation of Motor Transport Driving (Durban), the Laundering, Cleaning and Dyeing Trade and the Commercial Distributive Trade, but it will not be possible to begin actual investigations until 1938.

Since records of most of the Board's investigations and recommendations are available in printed form, detailed reference is not called for but it is thought that a short statement in regard to certain aspects of the Liquor and Furniture investigations will be of interest.

Liquor and Catering Trade (Witwatersrand).—The Liquor and Catering Trade in this area was regulated under Industrial Council Agreement from 1928 to 1935 when negotiations for renewal failed and the Council was de-registered. The total number of employees in March, 1936, was as follows:—

	European.	Native.	Asiatic.	Other Coloured.	Total.
Full Time.....	845	919	124	43	1,931
Casual.....	822	111	—	25	958

Serious difficulty arose in grading the occupations of cook and waiter; in a first-class hotel the employees must be first grade or the establishment, however suitable its premises, will inevitably cease to be first grade. No line of demarcation between hotels of various grades could, however, be found and the device of appointing a committee with powers to grade employees into three classes, followed by the Industrial Council, could not be adopted by the Board. In these circumstances the Board had no option but to recommend one wage common respectively to cooks and waiters, whether in first, second or third class establishments. To have raised wages to the Grade 1 level would have imposed an impossible burden on all but first grade establishments and a common wage must necessarily be lower than the top and higher than the bottom grade. The effect of the recommendation, in so far as the occupations of cook and waiter are concerned, is that the European is exposed to the risk of a reduction, the Native becomes entitled to a considerable increase whilst Indian and Coloured employees remain at their existing level. The difficulty of wage regulation in this trade was increased not only by the fact that the workers belong to three different races but that hitherto no wage control has been exercised over Natives who, in this trade, form 47·6 per cent. of all the employees.

Where the rendering of personal service is inherent in the occupation it is hard to avoid a longer working day than is the case in general industry and it was this circumstance which influenced the Board in recommending a normal week of 54 and 58 hours for six and seven day establishments, respectively. In dealing with unskilled labour the Board was faced with the fact that the hours of work of this class had not hitherto been controlled in any way and the claim that it is the duty of these employees to clean premises and utensils both before the work of other employees begins as well as after they have ceased; it was for these reasons that the work period was fixed at approximately one hour per diem longer than in the case of other employees.

The recommendation was published for objections on the 28th May, 1937, and became a Determination on 17th September, 1937.

Furniture Manufacturing Industry (Oudtshoorn).—This is a small section of the furniture industry established in a somewhat isolated rural area which provides employment to about eighty-six workers, sixty of whom are concentrated in the two largest establishments. There have been unsuccessful attempts at wage regulations at various times since 1926 of which the present Determination, which was promulgated on the 10th December, 1937, is the culmination. The personnel comprises 28 Europeans, 8 Natives and 50 Coloured employees, the average wages paid in January, 1937, being £1. 6s. 8d., 14s. 4d. and £1. 8s. 11d. per week, respectively.

The fixing of wages for unskilled labour in an area such as Oudtshoorn presents unusual difficulty. The average wage paid was 12s. per week and in raising this figure to 15s. with 18s. after six months, the Board was influenced by three factors—

- (i) the capacity of the industry to pay;
- (ii) the low cost of living; and
- (iii) the fact that Oudtshoorn is a small country town in which a large number of the citizens earn their living in agriculture and who employ labour which will be directly affected by wages fixed for the furniture industry in the same area.

The ultimate wage level of £3. 10s. per week, prescribed for qualified employees, is comparatively low, but a week's paid holiday plus two public holidays and the ratio restriction, constitute a considerable increase in costs to the employers and in recommending as it did, the Board had in mind the need for industries in rural areas. The stimulus to enterprise is no doubt low wages and low costs of living but the markets are neither extensive nor readily accessible and it would have been inequitable to have taken away the compensation represented by a reasonable differentiation in wage levels. The disparity between the Cape wages and those recommended by the Board for Oudtshoorn is considerable but experience has emphasised the wisdom of proceeding in wage regulation by easy stages, the alternative being hardship to employees and employers which results from violent disturbance of equilibrium. Greater stability and more general compliance with the law are found to follow upon the gradual adjustment of wage rates as the standard of organisation improves, output expands and profit increases.

The "Owner Driver".—A factor in wage regulation which appears in one form or another in almost all industries is what is known in Motor Transport Driving as the "owner driver", namely, the man who buys his own vehicle, generally on long terms, and carries goods at contract rates. Although he competes with the employer who is compelled to pay a given wage and to work only a certain number of hours per day, he is subject to no restrictions but can perform work of a similar nature at any rates and for such working hours as his physical capacities permit.

In industries such as the manufacture of machinery, motor-cars, tyres, and in other highly mechanised trades the lone worker cannot exist but he is found to a greater or lesser degree in furniture-making, hairdressing, millinery and dressmaking, tailoring, the meat trade, commercial distributive trades, i.e. the small shopkeeper, laundering (the "washerwoman") and many other trades. Generally employers have complained of the competition from this uncontrolled class and in some cases with good reason but some employers, on the other hand, have admitted that the competition is legitimate and within the limits imposed by health and safety considerations. Several employers have in fact remembered their early struggles as "owner drivers" and have pleaded that the existence of this class is good for competition and often valuable as a reserve from which employers can draw when demand exceeds the capacity of their plant or capital.

It is true that the Board has found it necessary in recommending wages for certain occupations, to take into consideration the competition of those contractors and individualists who are neither employers nor employees, but the wage system which obtains here is not capable of controlling the activities of this class and it can only be urged that the appropriate authorities should in applying licensing, health and safety measures, realise the existence of this class of citizen and the necessity for his control.

Section 9 (1) (o) of the Wage Act empowers the Board to lay down the basis upon which payment shall be made to a contractor and since all work performed by the "owner driver" must be on a contract basis, it may be asked why the position cannot be controlled under these powers. The reason lies in the fact that any basis fixed must relate to contract rates and where the fixation of such rates is possible, as in the bespoke tailoring trade; no difficulty need be anticipated, but where the occupation does not permit of such treatment the clause cannot be applied. In transportation, for example, not only would this difficulty arise but even were it overcome there would remain the need for enforcement on private householders—an almost insuperable and probably undesirable task.

Annual Holidays.—Of the desirability of making provision for an annual holiday in wage recommendations there can be no question and the Board has in the majority of investigations found it possible to conform, periods varying from one to two weeks, and in one case, three weeks having been recommended. The grant of a fortnight's annual leave on full pay to clerical and what are generally termed "non-productive" workers, is an almost universal practice and the same may be said of most staff employees, including those on the productive side. But there are many industries in which the grant of leave is by no means general and the question is further complicated by the fact that even in industries where leave is customarily granted it is not usual to extend the privilege to the unskilled ranks. For example, in the liquor trade on the Rand it has for many years been the

practice to grant two weeks' paid holiday to employees other than Natives and the suggestion of a similar provision for Natives was regarded as an innovation of which few Natives would wish to avail themselves; it was represented that the true object of the privilege, i.e., that of recuperation, would not be realised, that the grant would merely mulct the employer in additional cost and would amount in fact to an increase in wages. Where the workers are tribal Natives the problem is also affected by the custom of ceasing work for several months at a time. On the other hand, certain employers claim that if the Native labourer, whether from the urban or rural areas, can look forward to an annual holiday with pay he will be less prone to remain away from work for lengthy periods and this reduces the large labour turnover in the unskilled ranks.

The Board cannot discriminate in its recommendations on the grounds of race or colour but has attempted to meet the difficulty by permitting the payment of the wage in lieu of the leave where this course is acceptable to both employer and employee. These factors have in some instances contributed to the recommendation of a shorter period of leave than might otherwise have been the case.

The 1937 Wage Act.—Apart from the sections dealing with administration and enforcement, with which the Board is not directly concerned, the provisions concerning the making of investigations and those detailing the matters on which the Board may make recommendations, are of special interest. The former, in *Section 4*, empower the board, unless the Minister otherwise directs, to decide that any investigation shall be carried out and made by any member of the Board, either alone or in conjunction with an additional member. Thus, if the Board is satisfied for example that an entire investigation can be carried out by one member, it can resolve accordingly and its recommendations may in such event be framed by the the Board in the light of such member's report and the information recorded therein. Again, in the case of a reference covering all the industrial areas in the Union, the Board may divide into three portions, each taking evidence and investigating at three different centres simultaneously and may in this manner complete the whole investigation, or its members may perhaps come together as a combined body at one of the large centres for the sake of cohesion and the exchange of experience. The greater degree of elasticity will certainly prove a valuable aid in the more rapid despatch of business.

Of the extended powers of recommendation the most important are perhaps those dealing with the prohibition and regulation of piece-work; the prohibition of work on premises of a specified type and the restriction of the performance of work to such premises and lastly the fixing of a ratio between one class of employees and another class or between one class and the total number of employees employed in any one establishment. In this connection it will be remembered that the 1925 Wage Act only authorised the laying down of ratios between unqualified and qualified employees. Fixation of the basis of payment to contractors has already been referred to.

Race and Colour Distinction.—Notwithstanding the direction laid down in *Section 9 (3)* of the Act, namely, that the Board shall not differentiate or discriminate on the basis of race or colour, there seems to be much misapprehension in the public mind as to the Board's attitude towards race, in fact it is often assumed that the intention underlying the fixation of a given wage level is the replacement of non-Europeans by Europeans. The Board has been warned to fix a high wage in order to prevent the replacement of Europeans by Natives and by representatives of Native employees it has at the same time been advised not to determine too high a wage on the ground that this would lead to the replacement of Natives by Europeans. It is, of course, plain that wage levels though fixed without discrimination do affect the race composition of the employees and it is for this reason that the data assembled by the Board in every investigation include details of the existing racial composition of the workers.

Procedure.—The infinitely careful manner in which information is called for and analysed by the Board in each investigation is still not fully appreciated by a section of the employers. It is only recently that the usual questionnaire in which details of the wages paid to employees and the financial standing of firms are sought, was stigmatised as "impertinent" and of a "tone one would expect to find in Russia". Such critics do not perhaps realise that one of the factors which the Board is called upon to take into consideration before it makes any recommendations, is the ability of the employers to meet the cost of any wages or conditions of employment which the Board may recommend and that the submission of information regarding their financial position is thus primarily in their own protection and interest.

I.S.C.O.R. Arbitration.—During the year two members of the Board were appointed arbitrators by the Minister to settle a dispute existing between the S.A. Iron and Steel Corporation and certain of its employees. The arbitration entailed a lengthy investigation extending over a period of more than two months.

3. APPRENTICESHIP ACT, 1922.

Number of Apprentices.—The steps taken by the Department to deal with the shortage of trained men in the various skilled trades were described in the Departmental Annual Reports for the years 1935 and 1936. Surveys carried out during 1937 indicated that with one or two minor exceptions the maximum number of apprentices which the industries concerned were capable of training had been indentured.

The following statistics of journeymen and apprentices in certain centres illustrate this:—

Industry.	Date.	No. of Journeymen.	No. of Apprentices.	Ration.
Building (Witwatersrand.....)	31/ 5/1934	5,297	412	1 to 12·8
	31/ 5/1936	7,609	781	1 to 9·7
	31/ 5/1937	7,750	994	1 to 7·8
	31/12/1937	8,150	1,109	1 to 7·3
Engineering (Transvaal).....	31/ 5/1934	2,254	456	1 to 4·9
	31/ 5/1936	3,500	907	1 to 3·9
	31/ 5/1937	4,500	1,090	1 to 4
	31/12/1937	5,789	1,236	1 to 4·7
Motor (Witwatersrand and Pretoria)....	31/ 5/1936	1,001	467	1 to 2·2
	31/ 5/1937	1,323	551	1 to 2·4
	31/12/1937	1,555	633	1 to 2·5

Nevertheless skilled artisans continued to arrive in the country although the net gain by immigration was less than half the number in the preceding year as the following figures indicate:—

Industry.	Immigrants Intending Permanent Residence.*		South Africans Departing Permanently.		Net Gain.	
	1936.	1937.	1936.	1937.	1936.	1937.
Building.....	854	559	46	122	808	437
Engineering.....	710	401	126	244	584	157
Motor.....	60	68	27	32	33	36
Furniture.....	65	37	1	6	64	31
Printing.....	41	63	10	6	31	57
Baking and Confectionery...	89	21	13	9	76	12
TOTALS.....	1,819	1,149	223	419	1,596	730

It should be noted that a certain proportion of the immigrants, particularly in the Engineering Industry, were skilled in occupations not previously followed in South Africa.

Training.—Special attention was devoted in the course of the year to the question of training. The fundamental object of the Act is to ensure that a sufficient number of youths are given a thorough training in the skilled trades. The Legislature realized that sound workshop training could only be obtained in the workshop, but that hand in hand with this practical training must go theoretical instruction in the technical college. The Act is designed to give effect to this combined system of training.

The problem before Apprenticeship Committees is how to ensure that employers carry out their undertaking to give their apprentices an efficient practical training, and how to induce apprentices to take a sustained interest in their technical studies. Most employers and most apprentices fulfil their obligations in this respect satisfactorily, but there remains the minority which requires constant supervision and encouragement. Apprentices are often not in a position to know whether they are being properly trained and this is seldom a matter in which their guardians can be of assistance. The fact therefore that complaints are infrequent does not necessarily mean that all is well. The matter was considered by the Industrial Legislative Commission in 1935. Much evidence on the subject was tendered to the Commission and many witnesses representing industrial councils and trade unions unhesitatingly asserted that the training of a large proportion of apprentices left much to be desired.

Various methods have been adopted to safeguard the position. Employers are required by the contract of apprenticeship to furnish annual reports on the progress of apprentices. If completed conscientiously, these reports should, when read with the reports of principals of technical colleges, give a fairly accurate idea of the progress apprentices are making. Unfortunately not all employers take the requests of Apprenticeship Committees in this regard as seriously as could be desired.

The Industrial Legislation Commission recommended that in each establishment a foreman or a specially qualified journeyman should be deputed to see to the training of the apprentices, and all apprenticeship committees have been urged to press for the adoption of this suggestion by firms which employ apprentices.

In the form of application to indenture an apprentice, employers are requested to state whether the apprentice will work under the supervision of a particular journeyman.

Apprenticeship Committees have also urged that consideration be given to the question of how far it will be possible for qualified Departmental Inspectors to see that the training of apprentices is properly carried out.

Apprenticeship Conferences.—In November, 1935, the attention of all Apprenticeship Committees was called to those portions of the report of the Industrial Legislation Commission dealing with Apprenticeship, and they were asked to review the designated trades and conditions of apprenticeship in their respective industries in the light of the Commission's recommendations.

With a few exceptions of a minor nature all Apprenticeship Committees re-affirmed their existing lists of designated trades and conditions of apprenticeship, and it was apparent that little progress was likely to be achieved in giving effect to the Commission's recommendations unless conferences were held. Representatives of the Apprenticeship Committees for the building industry accordingly met together in Pretoria on the 8th and 9th November, and representatives of the Apprenticeship Committees for the engineering, motor and carriage building industries on the 11th and 12th November. Each of these Conferences was also attended by representatives of the Committees dealing with apprenticeship in the Government Service and the South African Railways and Harbours, and of the Union Department of Education. The conferences which were opened by the Hon. the Minister of Labour, discussed a number of problems concerning apprenticeship, including the desirability of uniformity in the designation of trades and the conditions of apprenticeship, the necessity or otherwise for designating sub-trades, the question of reducing the period of apprenticeship and of remitting a portion of the period in respect of pre-apprenticeship training in trades and industrial schools, the necessity of increasing the number of apprentices in certain trades and generally matters concerning the training of apprentices in the workshop and their attendance at technical classes.

Immediately after the close of the conferences the conclusions reached and the resolutions passed were circulated to the various Apprenticeship Committees for examination, and it is hoped that it will be possible to give effect to most of the decisions in the near future.

Apprenticeship in Commerce.—After consultation with the Bloemfontein Chamber of Commerce, the Orange Free State Juvenile Affairs Board submitted to the Department a recommendation that the Commercial Distributive Industry be scheduled in terms of Section 1 (2) of the Act, in order to facilitate a scheme of apprenticeship in Commerce in Bloemfontein. The object of the scheme was to apprentice boys to prominent business men for the purpose of enabling these lads to obtain a sound practical training in commerce under a properly drawn-up contract, which would ensure the attendance of the apprentices at the commercial classes of the Bloemfontein Technical College. Notice of intention to schedule the industry was given in the *Gazette* and a number of objections were forthcoming. As all the objections were, however, based on the quite erroneous impression that apprenticeship in commerce could be made compulsory, it was decided to schedule the industry and the necessary proclamation was published on the 24th September. An Apprenticeship Committee is at present in course of formation at Bloemfontein.

Apprenticeship Committees.—One new Committee was formed during the year, namely, the Durban Hairdressing Apprenticeship Committee, while the Pietermaritzburg Electrical, Mechanical and Motor Engineering Industries Apprenticeship Committee was re-established. The Inspector of Apprenticeship continued to carry out the administration of the Act in the Furniture industry in Port Elizabeth and East London.

The area of jurisdiction of the Witwatersrand and Pretoria Motor Industry Apprenticeship Committee was extended to include the magisterial districts of Witbank, Middelburg, Volksrust, Standerton, Potchefstroom and Klerksdorp, while the area of the Cape Mechanical and Electrical Engineering Committee was extended to cover the magisterial district of Stellenbosch, and of the Cape Motor Engineering Committee to include the Municipal area of Wellington.

Paper-bag machine minding was added to the list of trades designated in the printing industry.

Encouraging results were obtained from practical tests conducted for baking and confectionery apprentices in Capetown during the first quarter of the year. Apprenticeship Committees functioned under the Act in the following industries and areas:—

- Printing—the Union.
- Government (Building and Engineering)—the Union.
- Railway (Building, Engineering and Carriage Building)—the Union.
- Mines (Building and Engineering)—the Transvaal.
- Building—Cape, Port Elizabeth, East London, Queenstown, Durban, Pietermaritzburg, Bloemfontein, Kimberley, Witwatersrand and Pretoria.
- Engineering (Mechanical, Electrical and Motor)—Cape, Port Elizabeth, East London, Queenstown, Durban, Pietermaritzburg, Bloemfontein, Kimberley, Witwatersrand and Pretoria (Motor) and Transvaal (Mechanical and Electrical Engineering).
- Food (Baking and Confectionery)—Cape and Witwatersrand.
- Food (Butchery)—Witwatersrand.
- Bootmaking and Leather Working—Cape, Port Elizabeth and Witwatersrand and Pretoria.
- Carriage Building—Witwatersrand.
- Hairdressing—Cape, Witwatersrand and Durban.
- Dental Mechanics—Cape, Port Elizabeth, Durban, Witwatersrand and Pretoria.
- Furniture—Cape, Durban and Bloemfontein.

Contracts of Apprenticeship.—The following statement shows the number of contracts of apprenticeship registered and terminated or cancelled since 1923:—

Year.	PRE-ACT CONTRACTS.				POST-ACT CONTRACTS.				Total Current.
	Regis-tered.	Termi-nated.	Can-celled.	Balance Current.	Regis-tered.	Termi-nated.	Can-celled.	Bal-ance Current.	
1923-32.....	2,972	2,683	116	173	16,415	8,293	1,397	6,725*	6,898
1933.....	18	98	13	80	1,213	1,938	313	5,687	5,767
1934.....	28	46	2	60	1,765	1,728	196	5,528	5,588
1935.....	1	47	1	13	2,610	1,291	224	6,623	6,636
1936.....	—	12	1	—	2,360	1,139	227	7,617	7,617
1937.....	—	—	—	—	2,967	989	307	9,288	9,288

* At 31st Decmber, 1931.

Details of the number of contracts registered in the scheduled industries to which the Act has been applied are given in the following table:—

Year.	Print-ing.	Build-ing.	En-gin-eering.	Motor.	Furni-ture.	Carr-iage Build-ing.	Bak-ing and Con-fec-tion-ery.	Lea-ther.	Hair-dress-ing.	Dental Mech-anic-ians.	Butch-ery.	Totals
PRE-ACT.												
1923-32....	215	574	1,620	—	344	96	11	70	42	—	—	2,972
1933.....	—	—	16	—	—	—	—	—	2	—	—	18
1934.....	—	—	—	—	—	—	—	—	28	—	—	28
1935.....	—	—	—	—	—	—	—	—	1	—	—	1
1936.....	—	—	—	—	—	—	—	—	—	—	—	—
1937.....	—	—	—	—	—	—	—	—	—	—	—	—
Post-Act.												
1923-32....	888	6,154	6,408	—	2,074	294	174	346	77	—	—	16,415
1933.....	37	216	755	—	28	23	52	27	75	—	—	1,213
1934.....	51	484	973	—	77	25	21	26	102	6	—	1,765
1935.....	75	801	1,403	—	108	39	30	29	122	3	—	2,610
1936.....	140	678	1,298	—*	105	25	18	14	80	2	—	2,360
1937.....	155	828	1,269	376	189	32	9	11	92	—	6	2,967

* Included in engineering in previous years.

The number of contracts in operation in the various industries at the end of each year over a period of six years was as follows:—

Year.	Print- ing.	Build- ing.	En- gin- eering.	Motor.	Furni- ture.	Carr- iage Build- ing.	Bak- ing and Con- fec- tion- ery.	Lea- ther.	Hair- dress- ing.	Dental Mech- anics.	Butch- ery.	Totals
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PRE-ACT.

1932.....	—	15	118	—	8	—	2	1	29	—	—	173
1933.....	—	—	63	—	—	—	—	—	17	—	—	80
1934.....	—	—	28	—	—	—	—	—	29	3	—	60
1935.....	—	—	2	—	—	—	—	—	11	—	—	13
1936.....	—	—	—	—	—	—	—	—	—	—	—	—
1937.....	—	—	—	—	—	—	—	—	—	—	—	—

POST-ACT.

1932.....	402	2,060	3,261	—	648	125	97	57	75	—	—	6,725
1933.....	338	1,527	3,034	—	361	109	122	60	136	—	—	5,687
1934.....	298	1,344	3,152	—	246	107	100	75	201	5	—	5,528
1935.....	302	1,716	3,744	—	278	115	100	80	283	5	—	6,623
1936.....	361	2,025	4,343	—	292	127	97	76	293	3	—	7,617
1937.....	475	2,570	4,170	1,031*	428	143	86	60	316	3	6	9,288

* Included in engineering in previous years.

All industries recorded an increase in the number of contracts registered with the exception of the Baking and Confectionery Industry, the Leather Industry and Dental Mechanics.

Cancellation of Contracts.—The number of contracts cancelled increased from 227 in 1936 to 307 during the year under review; the majority, however, were terminated by mutual agreement between the parties. An analysis of the grounds for cancellation is given hereunder:—

Grounds for Cancellation.	1936.	1937.
	Per Cent.	Per Cent.
Apprentices' default.....	17·3	13·96
Apprentices' ill-health, accidents, deaths.....	12·7	11·04
Employers' default—business closing down, insolvency, etc.....	4·9	4·87
Transferred to other employers or trades.....	15·9	22·73
Mutual consent.....	37·3	28·57
Miscellaneous.....	11·9	18·83

Attendance at Technical Classes.—The following figures are furnished in regard to the attendance of apprentices at technical classes during the second half of the years 1934-37:—

Half-year, July–December.	Total No. of Appren- tices required to Attend.	Total Enrolled.	Percentage of Enrolled to reach 75% Attendance.	Percentage not Attending.	Number Exempted.
1934.....	3,652	3,508	81·5	4·6	41
1935.....	4,867	4,326	75·5	10·7	74
1936.....	5,665	5,278	75·3	6·8	98
1937.....	6,751	6,244	66·3	7·5	118

Prosecutions.—The number of prosecutions and convictions under the Apprenticeship Act showed a decrease in 1937, compared with the previous year. The majority of cases fell under one of the following heads:—

- Employers—failure to notify the Apprenticeship Committee of the engagement of a minor in a designated trade.
- Apprentices—failure to attend technical classes.

In the latter type of case, it is usual for the magistrate to impose a suspended sentence, subject to the apprentice attending classes regularly in the future. Cases are not taken to Court until the Apprenticeship Committee concerned has exhausted all other means of persuasion.

Centre.	Prosecutions.			Convictions.		
	1935.	1936.	1937.	1935.	1936.	1937.
Johannesburg.....	197	402	129	168	386	116
Pretoria.....	13	12	1	13	9	1
Capetown.....	11	9	18	6	9	17
Durban.....	5	6	3	5	6	3
Bloenfontein.....	—	1	13	—	1	11
Port Elizabeth.....	10	8	1	7	8	1
East London.....	9	5	1	8	5	1
Kimberley.....	—	—	—	—	—	—
Pietermaritzburg.....	—	—	1	—	—	1
TOTALS.....	245	443	167	207	424	151

APPRENTICESHIP CONTRACTS NOT SUBJECT TO THE APPRENTICESHIP ACT.

The following are details of the apprenticeship contracts submitted to the Inspector of Apprenticeship for noting in the years 1936-37:—

Occupation.	Under Wage Determinations.		Under Industrial Council Agreements.		Others.	
	1936.	1937.	1936.	1937.	1936.	1937.
Bespoke Tailoring.....	1	—	—	—	—	—
Hairdressing.....	26	31	1	—	3	—
Printing.....	—	—	36	45	—	—
Furniture Making.....	—	1	4	1	1	8
Baking and Confectionery...	9	5	2	3	—	—
Sweet Making.....	—	—	—	—	—	—
Engineering.....	—	—	27	40	26	47
Building.....	1	—	24	16	7	21
Commercial Distributive Trade.....	—	—	—	—	—	—
Motor.....	—	—	—	—	6	25
Miscellaneous.....	—	—	—	—	12	11
TOTALS.....	37	37	94	105	55	112

Diamond Cutting Industry.—This industry has not been scheduled under the Apprenticeship Act, but non-statutory committees have been appointed at Capetown, Johannesburg and Kimberley. One hundred and five journeymen and three apprentices were employed as at the 31st December, 1937.

SUPREME COURT JUDGMENTS.

Sather vs. Orr and Others.—An employer in the engineering industry in Johannesburg sued the chairman, members and secretary of the Transvaal Mechanical and Electrical Engineering Apprenticeship Committee for £1,000 damages for alleged defamation. The case was heard before the Witwatersrand Local Division of the Supreme Court, which, in granting absolution from the instance with costs, held that the statements made were privileged in that the Apprenticeship Committee was entitled and obliged to communicate to the Department of Labour and to the Inspector of Apprenticeship any information acquired by it in the course of its duties relating to apprenticeship generally or any particular contract of apprenticeship and that the plaintiff had not discharged the onus of proving that the Committee was actuated by malice. It was further held that the normal necessity for the assistance of his guardian did not prevent the apprentice from being a party to the contract within the meaning of Section 14 (e) of the Act.

4. FACTORIES ACT, 1918, AS AMENDED.

REPORT OF THE CHIEF INSPECTOR OF FACTORIES
[MR. C. H. CLUTTERBUCK, M.I.MECH.E., M.I.E.(S.A.).]

(1) GENERAL.

The high level of industrial activity reached during the year 1936 was maintained during the early part of 1937, but towards the close of the year it became evident that, although there were no signs of a general set back in the development of industries, there was a tendency for the rate of expansion experienced during the past few years to slow down with the

result that conditions became more settled. In the coastal towns, particularly Durban and Port Elizabeth, steady industrial development continued and on the Witwatersrand a record was again established with respect to the number of new factory premises registered.

The number of factories registered in the Union during the year under review was 807 of which 518 were situated in the Transvaal and Orange Free State, 167 in the Cape Province, and 122 in Natal. In several industries an amalgamation of interests resulted in the closing down of factories and, as in previous years, a considerable number of small concerns either ceased operations altogether or, owing to the nature of the work carried on, were found to be no longer liable for registration. In addition, numerous establishments moved into larger or more suitable buildings either on their own initiative or as a result of pressure brought to bear by Inspectors of the Department. In these circumstances the premises vacated are regarded for statistical purposes as factories closed down. The nett increase in the total number of registered factories was 157.

With the exception of the Transvaal, conditions in the engineering and metal trades shewed very little change but on the Witwatersrand production in all branches continued to expand and the number of factories engaged in this industry increased by 26. The range of mining machinery and appliances constructed in the general engineering workshops was considerably extended and numerous machinery parts formerly imported were made locally. Sheet metal works were very active and there was a marked increase in the output of steel window frames and tubular steel furniture. Two new factories were established for the manufacture of metal containers and a new wire rope works commenced operations. In the electrical field, additional plant was installed by electric cable makers to meet increased demands and the manufacture of various domestic and other electrical appliances not previously attempted in the Union was started successfully.

Activity in the building industry was well maintained and the cement works produced to their full capacity. The established brickworks were also kept busy and a large number of small workers operated wherever suitable clay deposits were found in the vicinity of urban areas. Furniture manufacturers generally had a normal year. Stinkwood furniture appears to have gained favour and the factories which make this class of goods in the Cape Province were kept fully occupied. There was further expansion in the shirt and clothing industry, although business fluctuated considerably. Several new factories were built, but the industry was handicapped by a shortage of suitable labour. The output of ladies' clothing increased notwithstanding the vigorous protests made against the wholesale importation of dresses from overseas.

During the early part of the year the leather and boot and shoe industries were extremely busy but toward the close the output declined and in some cases factory employees were placed on short time. There was an increase in the number of woodworking factories and saw mills. While existing joinery works were kept steadily employed, there was no marked expansion, the increase being largely due to the numerous saw mills established in the timber growing areas to supply the unprecedented demand for mine packs and shooks for fruit export. Jam and fruit canning factories in the Cape Province experienced difficulty in obtaining a sufficient supply of suitable fresh fruit and for this reason were not so active as usual but there was an increase in the output of canned vegetables. Factories engaged in the preparation of dried fruits, raisins and crystallised fruits had a good year in consequence of the demand for these specialities for both local consumption and export. Two large jam factories associated with Western Province concerns, commenced production in Johannesburg.

Other manufacturing industries generally maintained the level of production reached during the previous year.

Among the new industries established in the Union during the year may be mentioned the manufacture of Cyanide, carpets, motor radiator cores, electric radiators, caravans, raincoats and paper cups.

Administration.—The inspection staff at the end of the year was as follows:—

Chief Inspector of Factories.

14 Inspectors of Factories (Engineering).

10 Inspectors of Factories.

In addition to the above, the Divisional Inspectors of Labour at Cape-town and East London carried out factory inspections in combination with their other duties.

The following is a summary of the official duties performed by the Inspectors of Factories:—

Miles travelled—	
(a) By rail	24,149
(b) By road	157,962
Boilers—	
External inspections	4,329
Internal inspections	3,281
Hydraulic tests	1,665
Elevator inspections	3,237
Accident enquiries	1,058
Machinery inspections	1,573
Factories registered	807
Factory inspections	7,442
Official visits (not included above)	2,213
Attendance at Law Courts	129
Nights absent from home on duty	899

During the year 261 contravention notices were served upon the occupiers of factories and 73 complaints were received by the Department from members of the public alleging contraventions of the Act. The latter were dealt with by the Inspectors and of this number 33 were settled satisfactorily, 19 were not justified, 16 were outside the jurisdiction of the Department, 2 led to prosecution and 3 were under investigation at the end of the year.

(2) STRUCTURAL AND HYGIENIC CONDITIONS.

The number of plans for new factory premises submitted for approval was 401; an increase of 46 compared with the previous year. Plans for alterations and additions to existing premises totalled 542, an increase of 39. With few exceptions, the new buildings erected for factory purposes during the year were of substantial construction and well designed and the marked improvement which has taken place in factory premises generally during recent years was maintained. This is due in no small measure to the close co-operation between architects and inspectors of the Department in the preparation of plans for new factories. The indifference to the requirements of the Factories Act formerly shewn by some architects has given place to a desire for collaboration with inspectors who, in the course of their duties, acquire that knowledge which enables them to give useful advice regarding the best means of fulfilling those requirements in the finished structure.

The co-operation of local authorities with respect of the submission of plans of new factories or alterations or extensions to existing buildings, continued and, although in isolated cases the erection of factories was commenced before the relative plans had been approved by the Inspector, little difficulty was experienced in this connection.

It is pleasing to record that the enforcement of the provisions of the Factories Act has received support from at least one Building Society which refuses to advance money on factory buildings unless they comply with the Act. If this lead were followed by other financial institutions it would greatly assist the Department.

Ventilation.—Throughout the year inspectors in all districts were unceasing in their efforts to secure further improvement in the ventilation of factories, and considerable success was achieved in this direction.

This feature does not usually receive the consideration from architects which its importance warrants and inadequate ventilation was the principal fault found with the plans for new buildings submitted. It is often difficult to decide from the details supplied whether sufficient provision for air movement has been made, having regard to the particular industry, and it occasionally becomes necessary to insist upon supplementary measures being taken after the premises are occupied. A large number of roof ventilators were installed to improve conditions in factories where for various reasons adequate cross ventilation could not be obtained. Hitherto there has been an objection to the use of these galvanised iron appliances in coastal towns owing to the rapidity with which they become corroded by the action of sea air. The use of corrugated asbestos sheets for roofing purposes in such situations has, however, extended and ventilators made of the same material are now obtainable.

In many factories where a large number of persons were working in one room or where the nature of the operations carried on rendered such a step necessary, the installation of exhaust fans was insisted upon. In several such cases it was found that the principles of ventilation had been ignored and the position of the fan in relation to the available air inlets had not received consideration, with the result that the air current was short circuited and the fan did not fulfil its purpose. Instances of this kind serve to emphasize the necessity for obtaining expert advice before incurring expenditure on ventilating apparatus.

The improvement of conditions in factories where dust or fumes are created received attention and good progress was made in this direction. Numerous dust collecting plants were installed in saw mills, furniture and mattress making factories, and general woodworking shops, and in several cases occupiers who were reluctant at first to undertake the expenditure involved, expressed their satisfaction at the results obtained. The provision of exhaust fans for the removal of fumes created in spray painting, dry cleaning, and other establishments was insisted upon, and considerable improvement was effected in the ventilation of laundries.

Air conditioning in factories has not been adopted to the extent which could be desired, on account of the high cost of installing suitable plant. A number of firms are, however, now specialising in this branch of engineering and it is possible that in the future, air conditioning plant designed to meet the needs of various classes of factories will be obtainable at a cheaper price.

The control of temperatures and humidity in tobacco factories engaged the attention of inspectors, and steps are being taken to ensure reasonable working conditions in this respect.

Lighting.—In the majority of cases the plans submitted for new factory buildings during the year provided for a natural lighting area in excess of that required under the Factories Act. Inspectors are, however, unanimously of the opinion that in certain circumstances the prescribed minimum of 10 per cent. of the floor area is insufficient and that this limit should be increased, or that any inspector should have the power to insist upon a larger lighting area at his discretion.

The natural lighting of many centrally situated factories in the larger towns, although in compliance with the law, was found to be inadequate having regard to the class of work performed, owing to the obstruction caused by surrounding high buildings. Similar conditions were found in multi-storied factory premises attached to other buildings and having two blank boundary walls. In such cases the only available natural light is admitted at the two extreme ends, and while the windows may be of the required area there remains a badly lighted portion in the centre. In view of the foregoing there appears to be justification for allowing inspectors wider discretionary powers.

Efforts were made to improve conditions in the older types of factories in which the natural light was below the standard and extensive structural alterations would be necessary to increase it. In these circumstances supplementary artificial lighting by means of daylight fittings was permitted. In several factories where work is carried on at night, improvements in the lighting installations were effected by the substitution of fittings which provided light of sufficient intensity, suitably diffused, and eliminated glare and dark spots. Generally the lighting conditions throughout the factories of the Union are good.

Sanitation and Cleanliness.—During the year under review, 4,953 notices concerning sanitation and cleanliness were served upon Municipal Councils and other local authorities, a decrease of 1,306 compared with the previous year. To a considerable extent this decrease was due to the extension of water-borne sewerage systems in urban areas and the closer supervision exercised by Municipal Health Officers and Sanitary Inspectors. Reports from all districts indicated that the co-operation of local authorities had been of great assistance in establishing and maintaining satisfactory sanitary conditions in factories.

Probably owing to the prevailing prosperity in industry very little difficulty was experienced in securing adequate sanitary conveniences, and occupiers generally were quite willing to comply with any reasonable demands of inspectors. There has been a great improvement in this respect in recent years, and there is evidence of a growing desire on the part of factory managers that the conditions of their sanitary arrangements should not be less favourable than that of other parts of the factory. In isolated cases unclean conveniences were found, but these were exceptional and there was a substantial reduction in the number of complaints.

These remarks apply to the conditions in areas served by water-borne sewerage which, it is pleasing to record, are increasing in number. In country districts the position is still far from satisfactory. The owners of small concerns resent being required to provide what is considered to be adequate sanitary accommodation for their employees, and, owing to the infrequent visits of inspectors, progress in the direction of improvement is unavoidably slow. In commenting upon the position with regard to factory sanitation in his district, the Inspector for the Cape Western Province states that certain areas allotted for industrial purposes within the jurisdiction of the municipality of Capetown have been taken up by factories employing a large number of workers, but no provision has been made for sewerage. Septic tanks have been provided in some cases, but owing to the nature of the soil they have not proved entirely satisfactory, and the necessity for a combined sewerage scheme in conjunction with the local Divisional Council is apparent.

Notwithstanding the fact that a large number of establishments have moved into new premises the general standard of cleanliness in factories leaves much to be desired. A number of well organised large concerns now employ permanent cleansing staffs but the average occupier is indifferent to the condition of the walls and floors of his premises and does not appreciate the relationship between cleanliness and efficiency.

(3) MACHINERY.

The output of Electricity Supply Undertakings throughout the Union continued to increase and the area served by power transmission lines was further extended. Compared with the previous year the total sales of electricity generated by the undertakings under the control of the electricity generated by the Undertakings under the control of the Electricity Supply Commission increased by 50 per cent. In addition to the power taken by industrial concerns from Municipalities which receive bulk supply, 72 million units were supplied direct to industrial consumers, representing an increase of 12·4 per cent. In the Capetown area 28 million units were sold for industrial purposes, an increase of 22 per cent., and the farm supply scheme was extended to serve 39 additional farms. The equipment of the new Table way Power Station is proceeding. In Natal, substantial additions to plant are in course of erection at both the Colenso and Congella Stations. Numerous new consumers were connected in the Northern Districts and good progress was made with the extension of the Commission's transmission system down the South Coast. The Johannesburg Municipal Power Station generated 255 million units during the year and increased its output by 26 per cent. Four new boilers, each of 120,000 lb. evaporative capacity, were installed.

In the small towns of the Union there was a growing demand for electricity and several new Municipal Schemes were completed. Additions were also made to many existing plants and in some cases Undertakings which commenced with small oil engine driven generators found it necessary to substitute steam driven units.

A large amount of new machinery was installed during the year for manufacturing purposes. In addition to that required for the equipment of the numerous new factories erected, many established concerns either extended their operations or substituted modern machinery for obsolete plant.

Boilers.—The inspections and hydraulic tests of boilers carried out by inspectors during the year were as follows:—

	Transvaal.	Orange Free State.	Cape Western Province.	Cape Eastern Province.	Natal.	Totals for Union.
External Inspections.....	1,290	309	1,065	515	1,150	4,329
Internal Inspections.....	1,036	260	744	449	792	3,281
Hydraulic Tests.....	606	111	321	230	397	1,665

As a result of inspection, 20 boilers were found in such defective condition that permission for their continued use was refused; in some cases satisfactory repairs were effected and permits subsequently restored, others were discarded as unfit for further steam generation. The number of new permits issued during the year was 604 while 141 boilers were finally discarded. Two hundred and four new boilers were submitted for first inspection. These were all found suitable for the makers' intended working pressure and are classified according to type hereunder.

Type.	Transvaal.	Orange Free State.	Cape Western Province.	Cape Eastern Province.	Natal.	Totals for Union.
Cylindrical, Multitubular, ex- ternally fired.....	6	—	—	—	—	7
Cylindrical, Multitubular, in- ternally fired.....	3	1	6	—	—	10
Lancashire, Cornish and Gallo- way.....	—	—	—	1	1	2
Locomotive.....	9	2	2	1	5	19
Vertical.....	66	7	29	15	16	133
Water-tube—Straight.....	8	—	7	4	3	22
Water-tube—Curved.....	2	2	—	2	—	6
Miscellaneous.....	2	—	2	1	—	5
Marine.....	—	—	—	—	—	—
TOTAL.....	96	12	47	24	25	204

The following is a classification of all the registered boilers in the Union, excluding those used in the mining industry and those owned by the Railways, Airways and Harbours Administration. The total number is 7,252 of which 4,911 were in use on 31st December; the number in use decreased by 240 during the year:—

Type.	Trans- vaal.	Orange Free State.	Cape Wes- tern Pro- vince.	Cape Eas- tern Pro- vince.	Natal.	Totals for Union.	Date of Oldest Boiler in Use.	Highest Steam Pressure, lb. per Sq. In.
Cylindrical, Multitubu- lar, externally fired..	73	10	24	14	157	278	1894	140
Cylindrical, Multitubu- lar, internally fired...	38	8	62	16	15	139	1881	160
Lancashire, Cornish and Galloway	71	11	62	29	36	209	1888	225
Locomotive.....	653	707	475	346	492	2,673	1888	250
Vertical.....	1,818	272	365	302	410	3,167	1888	600
Water-tube—Straight..	238	43	70	53	190	594	1895	460
Water-tube—Curved...	23	3	3	2	22	53	1897	200
Marine.....	—	—	18	1	—	19	1890	140
Miscellaneous.....	51	8	24	18	19	120	1900	300
TOTAL.....	2,965	1,062	1,103	781	1,341	7,252	—	—

Elevators.—The total number of registered elevators in use at the end of the year increased by 218 to 1,947. These are classified as follows:—

Type.	Transvaal.	Orange Free State.	Cape Western Province.	Cape Eastern Province.	Natal.	Totals for Union.
Electric.....	927	28	487	123	340	1,905
Hydraulic.....	1	—	—	—	1	2
Belt Driven.....	2	—	—	2	3	7
Other.....	18	15	—	—	—	33
TOTALS.....	948	43	487	125	344	1,947
Inspections carried out during the year.....	1,836	36	499	184	682	3,237

	Electric.	Hydraulic.	Belt Driven.	Others.	Totals.
Passenger.....	956	—	2	33	991
Goods.....	306	2	5	—	313
Combined Passenger and Goods	643	—	—	—	643
TOTALS.....	1,905	2	7	33	1,947

During the year 251 new elevators were installed and 33 were discarded. Among the latter were old installations dismantled to give place to more modern equipment. The total number of new elevators erected shows an increase of 72 compared with 1936. As in previous years, there were more new installations in Johannesburg than in the rest of the Union combined.

(4) ACCIDENTS.

The regulations under the Act provide that all accidents which result in the injured person being disabled for fourteen days or more shall be reported; therefore, in the following remarks and the statistics given in Tables (d) and (e) only such accidents are included. During the year, 720 accidents which caused injury to 731 persons and included 63 fatalities were reported. Compared with the previous year the number of accidents increased by 96, the casualties by 95 and the fatalities by 1. The accident rate in proportion to the number of persons employed was, however, approximately the same.

In many industries the shortage of trained machine operators continued and the unavoidable employment of inexperienced persons on this class of work is reflected in the accident figures. The large amount of engineering and irrigation construction work in progress on which casual labour was employed, may also be considered as a factor contributing to the number of accidents. It will be observed that although there was a substantial increase in the number of casualties, there was only one more fatality which indicates that a larger proportion of the accidents were of a minor nature. A review of the reports received confirms this and the case of a motor assembly works

may be quoted in support. At this works large quantities of cased goods, motor-car parts and sheet metal are handled and out of a total of 69 accidents reported only 7 were caused by machinery the remainder, including crushed and cut hands and fingers, falls, striking against objects and other small injuries sustained in handling materials.

The classification of accidents according to industries shows, as in previous years, that the largest number occurred in the engineering and allied industries. Compared with 1936 there was an increase in the number of accidents from 146 to 176 while the fatalities increased from 5 to 6 and the other casualties from 143 to 171. In establishments engaged in the treatment of raw materials the product of agricultural and pastoral pursuits, the number of accidents increased from 24 to 41, the casualties from 24 to 42 but the fatalities decreased from 4 to 2. In the industries grouped under the heading of "Food" the accidents increased by 19 and the fatalities by 2, the total figures being 97 and 10 respectively. In general woodworking, saw mills, etc., not including the making of furniture, there was a slight reduction in the number of accidents from 103 to 98; the deaths which numbered 4 were the same as the previous year. In the manufacture of drugs, chemicals, etc., 3 persons were killed and 33 injured, an increase of 1 fatality and 12 casualties compared with 1936. Miscellaneous accidents increased from 13 to 23. With the exception of breweries, furniture, and printing, which shewed decreases, the statistics for the remaining manufacturing industries were practically the same as the preceding year.

There were 28 persons killed and 97 injured in 120 accidents which occurred at places other than registered factories, where machinery is used. From electric power stations and distribution systems 59 accidents were reported including 12 fatalities compared with 46 accidents and 17 fatalities in 1936.

The following remarks deal with the causes of accidents as shewn in the classification adopted in Table (e):—

Working Machinery.—Approximately 39 per cent. of the total number of accidents reported fall in this class and include all machinery accidents which are not shewn under other sub-headings. These consist principally of casualties incidental to the working of general machinery and the operation of individual machines. In the majority of cases the injured persons were non-Europeans and woodworking machinery was responsible for numerous accidents involving injuries to the hands and fingers of native operators. A number of accidents which occurred on power presses of various kinds are also included.

Transmission Machinery.—Accidents placed under this heading are those which occurred in connection with the transmission of power through shafting, gearing, belts, etc., and total 33 including 10 fatalities compared with 22 accidents and 8 fatalities the previous year. Several casualties were caused by persons trespassing within guards and coming in contact with moving machinery, others were due to unskilled workers attempting to lubricate machinery in motion contrary to instructions.

Elevators and Lifting Machinery.—Thirty-two accidents occurred in connection with the use of lifting machinery compared with 24 the previous year. Two persons were killed and 12 injured by electric passenger elevators.

One of the fatal accidents occurred to the caretaker of a building who opened an elevator landing gate at the ground floor under the impression that the car was there, and stepped into the hatchway. He fell to the bottom and received injuries from which he subsequently died. In the other case a native was travelling up in a car when, owing to vibration the car gate opened breaking the power circuit and stopping the car between two floors. In an attempt to climb out he removed his weight from the hinged floor and the car moved down in response to a call, crushing him to death between the car roof and the landing sill.

Of the non-fatal elevator accidents, there were two cases in which persons not connected with the installation forced open landing gates and fell into the hatchway pit, and two operators sustained foot injuries through carelessly allowing their toes to protrude through the pickets of the car gate. Considering that there are approximately 2,000 elevators in use in the Union the number of accidents is remarkably small. Without exception those reported during the year were due to either irregular practices or carelessness on the part of the injured persons and it is pleasing to record that in no case was an accident caused by a defect in the installation.

The remainder of the casualties falling under this heading occurred in connection with the use of cranes and hoists of various kinds.

Electricity.—Twenty-seven accidents in which 12 persons were killed and 18 injured were directly caused by electricity. Compared with the previous year, the number of accidents decreased by 14 and the fatalities by 3. While it is gratifying to be able to record this decrease, a review of the accident reports shews that in several cases the casualties could have been avoided had more care been exercised by the injured persons.

One native was killed and five Europeans and two natives injured while working on high tension cables and apparatus, the remainder of the casualties occurred in connection with low tension conductors and appliances.

There were ten accidents to skilled electricians and wiremen one of which was fatal. Five of these were caused through workmen falling from ladders after receiving a shock from contact with live overhead mains on which they were either working or in close proximity to. In the majority of cases the evidence taken at the enquiry disclosed that rubber gloves and safety belts were provided but not used.

Defective wiring, fittings, and electrically operated tools caused accidents in which two persons were killed and four injured. Contact with structures which had become accidentally alive through leakage of current resulted in the death of three persons.

Owing to the more rigid enforcement of the Regulations governing the construction of house service lines, a considerable reduction in the number of accidents due to contact with uninsulated wires on or adjacent to buildings, has been effected; there were, however, two accidents of this kind during the year. In one case a European woman received a fatal shock through handling a bare wire carrying current to an outbuilding, and in the other a coloured painter caught hold of an uninsulated house service wire and was killed.

Other Classifications.—Approximately 48 per cent. of the total casualties and 44 per cent. of the deaths reported were due to causes other than machinery or electrical apparatus. These include “falls of persons”, “falling objects”, “poisonous, hot or corrosive substances”, “explosions, fire”, etc., and the percentages shew little variation compared with the records of previous years.

Accidents due to contravention of the Regulations.—The investigations held into 96 accidents disclosed that the Machinery Regulations had been contravened. The principal offences were those of disobeying instructions and cleaning or adjusting machinery in motion. In the majority of cases the guilty person was the one who suffered injury and for this reason no further action was taken. Arising out of accidents, 5 prosecutions were instituted, particulars of which are included in Table (a).

Personal Causes.—An analysis of the personal cause of all accidents reported during the year shews that 60 per cent. were due to misadventure or danger inherent to work, and 23 per cent. were the fault of the injured person, either through carelessness, ignorance or disobedience to orders. The remainder were attributed to the fault of persons other than the injured, or to defective plant.

Fatal Accidents.—Following is a brief description of those fatal accidents which may be considered of an unusual nature:—

A European handyman heated a 30 ft. length of 2 in. pipe for the purpose of removing the bitumen it contained. He remained seated close to the end of the pipe and the gases generated blew the hot bitumen into his face. He was severely burnt over the upper portion of his body and subsequently died.

During the construction of a building a plasterer attempted to remove a nail from a scaffold board with a pair of pincers. Instead of moving a temporary lighting wire which lay close to the nail he pierced its insulation with his pincers and received an electric shock which caused his death.

When feeding a threshing machine a coloured labourer accidentally stepped into the feed hopper and his leg was torn off by the drum. He died from his injuries.

A short circuit in an electric kettle caused the death of a brickyard employee. He had boiled water in the appliance and on handling it he received an electric shock. The resultant contraction of the arm muscles spilt the contents of the kettle over his chest and he was also severely scalded. His death, however, was actually due to the shock.

At a sugar mill, an Indian was descending into a juice tank for the purpose of cleaning it when he slipped and fell to the bottom. The tank contained juice to a depth of 18 inches and he was drowned before assistance arrived.

While assisting in the erection of a telephone line extension a European labourer stepped from a ladder on to the roof of the garage of a private residence. The roof was electrically alive owing to a leakage of current and he received a fatal shock. The insulation of the lighting wires serving the garage had been cut through by the sharp end of the tubing in which they were enclosed. Neither the tubing nor the corrugated roof had been earthed.

After having completed a joint on a high tension cable, a cable jointer was in the act of pouring hot compound into the covering sleeve when the current was switched on to the cable. For some reason not definitely ascertained a blow out occurred and the compound was forcibly expelled from the sleeve severely burning the operator and four other workmen standing near. One native died from the burns received.

In the absence of a striking gear, the European in charge of a country maize mill attempted to move a driving belt from the loose to the fast pulley by means of a round steel bar. The bar was caught by the revolving pulley and struck him on the head fracturing his skull.

A native delivering firewood at a private residence stood on top of the bags on the trolley and the upper part of his body came in contact with overhead wires leading to an outbuilding. The insulation of these wires was defective and he received an electric shock which proved fatal.

A householder fitted a plug in connection on the verandah of his house to convey current by means of an ordinary flex, to a light in the back yard. His wife used the flex as a clothes line until one morning she decided to substitute a proper line. While removing the flex she received an electric shock which killed her. The ground was wet, she handled a portion of the wire which had become bare, and, owing to a wrong connection at the switch the wire was alive and she received the full voltage to earth.

Non-Casualty Accidents.—The Machinery Regulations require that, although no personal injury was caused, certain classes of accidents which may endanger the safety of persons shall be reported. There were four such accidents reported during the year particulars of which are given below:—

An externally fired multitubular boiler was worked with insufficient water with the result that the tubes became overheated and the stays were damaged. Subsequent examination disclosed that the water gauge fittings, both of which were on a single mounting, were choked and the low water alarm was inoperative.

Owing to shortage of water an internally fired multitubular boiler was seriously damaged. The furnace tube became uncovered and was so severely distorted that the boiler was discarded as unfit for steam generation. The water gauge cocks were found unworkable and the fusible plug was too small to fulfil its purpose.

While the main steam range in a works power station was being charged preparatory to starting up a turbine, one of the 5-in. steam pipes burst and pulled out of its flanges. Fortunately the engine driver succeeded in closing the control valve without delay and further damage was avoided. The steam pressure was 160 lbs. per square inch and the pipe had been installed 16 years. It was considered that the accident was due to water hammer caused by charging up too rapidly and it is probable that crystallisation of the metal was a contributory factor.

An air receiver used in a garage burst around the bottom circumferential seam which was electrically welded. Incorrect setting of the safety valves allowed an accumulation of pressure above the safe working pressure of the vessel. The introduction of specific Regulations governing the construction and use of receivers of this class is under consideration.

(5) WORKING CONDITIONS.

The year 1937 was marked by a further increase in the number of persons employed in factories. Although in a few instances factories were found to be working short time, in most industries normal working hours were the rule, while in a large number of establishments the working of overtime was necessary to meet the demand for their products. Shortage of labour, due to the upward trend of industry, was experienced during the year, and operatives from other districts were found to be migrating to Johannesburg, where the payment of wages above the standard rates was the practice in many factories. A further movement in the direction of distributing the working hours permitted by the Act over a five-day week was observed; a number of firms in country districts introduced this measure.

Hours of Work.—Although the working of overtime increased, the hours of work were, generally, not excessive, except in certain laundries, where steps are being taken to remedy the position. Factories engaged in the manufacture of dairy products are, with few exceptions, improving the conditions under which work is carried on, as far as the perishable nature of their raw materials permits. Where it was found that the prescribed hours of work were exceeded, contravention notices were served, and proceedings were instituted in several cases. In most cases shortage of labour in relation to the increased demand for their products was found to be the cause of contraventions by factory owners.

Employment of Women.—The employment of women in industry continued to extend, and in the clothing, millinery, textile, fruit canning and packing, sweet and biscuit manufacturing industries and in laundries, women constituted the bulk of the labour force. Several fresh avenues of employment were opened to women during the year, notably coffee packing, and the packing of fresh crayfish tails, which gave employment to well over 300.

The fruit season being short, it was found that many women were working overtime for the sake of the extra pay, with resultant detriment to their physique. This condition has now been remedied.

Employment of Juveniles.—Reports from the various districts indicated that the proportion of juveniles employed in factories increased during the year. The Act provides that no boy or girl under the age of sixteen years shall be employed in a factory without a certificate of physical fitness issued by a medical officer. During the year 301 such certificates were issued, an increase of 104 over 1936. Seven juveniles were found to be medically unfit for work in factories, this being a decrease of 6 compared with the figure for the previous year.

Exemptions.—There was an increase of 161 in the number of establishments granted permission to work on Sundays, and an increase of 4 in the number of males and 1,008 in the number of females involved. Exemption from the provisions relating to working hours was granted in the case of seasonal industries such as creameries, fruit and egg packing, and jam making. Compared with the previous year there was an increase of 34 in the number of applications granted and 472 in the number of male employ affected, but a decrease of 147 in the number of females. A limited number of exemptions was granted allowing the employment of women and boys between the hours of 6 p.m. and 9 p.m. in bakeries, a few clothing factories during the holiday rush, and where continuous processes rendered it necessary.

Outworkers.—The number of outworkers engaged in the garment making industry as at 31st December was 782 as compared with 587 the previous year, and 510 as at 31st December, 1935. This increase is mainly due to the fact that the staffing position permitted of a more thorough investigation of outwork conditions than has been possible in the past, resulting in a number of contraventions being discovered.

(6) WELFARE.

First Aid.—In factories in which there are ten or more employees, it is incumbent upon the employer to provide properly equipped first aid boxes under the charge of a competent person. In most factories these requirements were fully observed, but infringements are periodically discovered, and the necessary steps taken to secure compliance. Officials of the S.A. Red Cross Society and the St. John's Ambulance Association continued their co-operation with the Department, and first aid classes for natives have been inaugurated on the Witwatersrand. Interest in first aid courses is increasing, and preliminary arrangements have been made for an "individual" first aid competition to be held during 1938, in addition to competitions in which teams participate.

Industrial Diseases.—Three cases of anthrax, none of which proved fatal, occurred in the Eastern Province during the year. The victims were natives, and the infection was probably due to the prevailing drought conditions.

Sixty cases of dermatitis occurred in a fresh fruit and citrus packing factory, but none of these were serious. Suitable precautions to prevent the spread of the disease were taken by the occupiers of the factory. Cases of dermatitis have also occurred through the use of soft soap, and following the use of abrasives in rubbing down paint on motor cars, while two further cases caused by the continual use of oils and cleansing materials, were reported.

Six cases of lead poisoning were investigated during the year, five of which occurred among motor assembly plant employees. One case was due to the neglect of the occupier, the extract ventilation system of the plant having ceased to function. Requirements were served, and precautions against a recurrence are now being taken.

One case of tuberculosis in a bakery was brought to the notice of the Department, and was referred to the Medical Officer of Health for the necessary action.

Protective Clothing.—Employers shewed every readiness to comply with the requirements relating to the use of protective clothing by workers, but a certain amount of opposition from the workers themselves was experienced.

Seating.—In terms of section *twenty-nine (k)* of the Act, occupiers of factories are required to provide seats for women workers whose work is performed standing, to enable them to take advantage of any opportunity for resting which may occur. These requirements were generally well observed.

Rest and Cloak Rooms.—Progress was made in regard to the provision of these facilities for workers, especially in the Engineering Industry in the Transvaal. The seven Associations comprising the Transvaal Engineering and Allied Industries Federation discussed the measures to be taken with inspectors of the Department.

Recreation Clubs and Hostels.—The Athlone Club at Port Elizabeth continued to prosper and other hostels have been designed on the same lines. An industrial hostel for the lower paid female workers in Paarl has been established. The majority of the residents are employed at the local woollen mills and spinning factory. Two large factories in East London have provided recreation clubs for their employees; in one case the club is run very satisfactorily by the employees themselves.

Confinement Allowances.—During the year, 419 applications for confinement allowances under section *eighteen* of the Act, involving a sum of £3,779. 3s. 2d. were granted. Compared with the previous year, these figures shew an increase of 197 in the number of grants approved, and £971. 8s. 11d. in the amount disbursed.

(7) STATISTICS.
(a) Prosecutions.

Section or Regulation Contravened.	Number of Cases.	Results.		Penalties.
		Dis- charged.	Con- victed.	
				£ s. d.
SECTION 8.				
Occupying unregistered premises.....	47	8	39	72 10 0
SECTIONS 8, 17 (4) and 26 (1).				
Occupying unregistered premises ; Failing to pay overtime ; Working on Sunday without permission.....	1	—	1	1 0 0
SECTION 12.				
Failing to keep Time and Wages Register.....	4	1	3	4 10 0
SECTION 12 (1) (c).				
Failing to produce Time and Wages Register.....	2	—	2	3 10 0
SECTION 12 (2).				
Failing to exhibit Certificate of Registration.....	2	—	2	2 0 0
SECTION 13 (1) (c).				
Continuously employing a worker for more than 5 hours without a break.....	1	—	1	2 0 0
SECTION 17 (4).				
Failing to pay overtime.....	3	2	1	5 0 0
SECTION 17 (5).				
Failing to keep Overtime Register.....	3	1	2	4 0 0
SECTION 26 (1) (a).				
Employing persons on Sunday without permission.....	4	—	4	13 0 0
SECTION 26 (1) (b).				
Employing females after 1 p.m. on the weekly half-holiday without permission.....	3	—	3	2 5 0
SECTION 28 (c).				
Failing to keep exit to fire escape unlocked and unobstructed	3	—	3	5 0 0
SECTION 29 (b).				
Failing to provide suitable accommodation for clothing put off by workers.....	1	—	1	1 0 0
SECTION 29 (d).				
Failing to ventilate factory.....	1	—	1	1 0 0
SECTION 29 (f).				
Failing to provide fans or atomisers to prevent dust.....	1	—	1	1 0 0
SECTION 29 (g).				
Failing to provide 25 square feet of clear floor space for each person.....	1	—	1	1 0 0
SECTION 29 (i).				
Failing to provide change room and washing facilities....	3	—	3	2 10 0
SECTION 29 (j).				
Failing to lime-wash walls.....	1	—	1	1 0 0
SECTION 29 (l).				
Failing to provide accommodation for clothing put off....	6	1	5	4 10 0
SECTION 32.				
Failing to carry out requirements.....	6	—	6	15 0 0
CHAPTER I, REGULATION 16.				
Failing to render overtime returns.....	1	—	1	1 0 0
CHAPTER I, REGULATION 17.				
Failing to number rooms.....	1	—	1	10 0
CHAPTER I, REGULATION 18.				
Employing persons in room less than ten feet high.....	2	—	2	2 0 0
CHAPTER I, REGULATION 19 (2).				
Failing to provide sufficient means of obtaining natural light equal to 10 per cent. of floor area.....	1	—	1	1 0 0
CHAPTER III, REGULATION 2.				
Failing to provide overalls.....	2	1	1	3 0 0
CHAPTER IV, REGULATOIN 1.				
Failing to provide first aid box.....	2	—	2	1 10 0
CHAPTER IV, REGULATION 4.				
Failing to place first-aid box in charge of responsible person	2	—	2	2 0 0
CHAPTER VI, REGULATION 8 (4).				
Deputing someone else to do his work.....	1	—	1	1 0 0
CHAPTER VI, REGULATION 18.				
Failing to fence off a pit hole.....	1	1	—	cautioned
CHAPTER VI, REGULATION 24.				
Failing to guard transmission machinery.....	1	1	—	—
CHAPTER VI, REGULATION 24 (a).				
Failing to fence or guard a shaft within reach, securely..	1	—	1	10 0 0
CHAPTER VI, REGULATIONS 24 AND 26.				
Failing to guard machinery.....	1	—	1	2 10 0
TOTAL.....	109	16	93	167 5 0

(b) *Number of Plans submitted by Municipalities, etc., 1937; New Premises and Alterations and Extensions of Existing Premises.*

Inspectorate.	New Premises.	Alterations and Additions.	Total Number.
Cape Western Province.....	97	53	150
Cape Eastern Province (Midlands).....	25	60*	85
Cape Eastern Province (Border).....	6	20	26
Natal.....	36	29	65
Transvaal and Orange Free State.....	237	380	617
TOTAL.....	401	542	943

* 10 Drainage.

(c) *Premises Registered and Closed, 1937.*

Inspectorate.	Number of Factories Registered as at 31/12/36.	Number Registered during 1937.	Transferred into District during 1937.	Transferred out of District during 1937.	Closed Down during 1937.	Awaiting Registration at 31/12/37.	Total Number of Registered Factories as at 31/12/37.
Cape Western Province.....	1,146	125	—	—	124	52	1,147
Cape Eastern Province (Midlands)	415	26	—	—	32	84	409
Cape Eastern Province (Border)	310	16	—	—	22	18	304
Natal.....	1,100	122	—	—	117	19	1,105
Transvaal and Orange Free State	2,577	518	—	—	358	180	2,737
TOTAL.....	5,548	807	—	—	653	353	5,702

(d) *Accidents during 1937, according to Industry.*

Industry.	Total Number of Casualties.	Killed.				Injured.				Number of Separate Accidents
		European.	Coloured.	Asiatic.	Native.	European.	Coloured.	Asiatic.	Native.	
FACTORIES.										
CLASS I.										
Treatment of Raw Material, the product of agricultural and pastoral pursuits (excluding tannery).....	42	—	1	—	2	6	2	2	29	41
CLASS II.										
Processes in Stone, Clay, Earthenware and Glass.....	60	2	—	1	6	16	2	—	33	60
CLASS III.										
Timber, Sawmills, Firewood.....	86	—	—	—	3	13	8	4	57	86
CLASS IV.										
Metal Engineering, Machinery, Motor Engineering.....	177	4	—	—	2	114	6	1	50	176
CLASS V.										
Preparation, Treatment and Preserving of Food, Drink, Condiments and Tobacco...	98	1	1	3	5	43	9	9	27	97
CLASS VI.										
Production of Clothing (excluding boots and shoes), Textile Fabrics and similar articles	8	—	—	—	—	3	1	—	4	8
CLASS VII.										
Books, Paper, Printing and Engraving.....	26	—	—	—	—	16	7	—	3	26
CLASS VIII.										
Vehicles (mechanically propelled and otherwise), Fittings for, and Parts of.....	3	—	—	—	—	1	1	—	1	3
CLASS IX.										
Breweries and Bottling.....	1	—	—	—	—	—	1	—	—	1
CLASS X.										
Furniture, Bedding and Upholstery.....	13	—	—	—	—	10	1	1	1	13
CLASS XI.										
Drugs, Chemicals (including fertilizers) and By-Products, Paints, Varnishes, and Allied Products.....	36	—	—	—	3	17	2	1	13	35

Industry.	Total Number of Casualties.	Killed.				Injured.				Number of Separate Accidents
		European.	Coloured.	Asiatic.	Native.	European.	Coloured.	Asiatic.	Native.	
FACTORIES (<i>continued</i>).										
CLASS XII.										
Surgical, Dental and other Scientific Instruments and Appliances (including Musical Instruments).....	—	—	—	—	—	—	—	—	—	—
CLASS XIII.										
Jewellery, Diamond Cutting, Opticians.....	—	—	—	—	—	—	—	—	—	—
CLASS XIV.										
Laundries, Cleaning and Dyeing.....	4	—	—	—	—	1	—	1	2	3
CLASS XV.										
Leather and Leather Work.....	16	—	—	—	—	9	3	1	3	16
CLASS XVI.										
Building, Carpentry, General Woodwork, Undertaking.....	13	—	—	—	1	8	1	—	3	12
CLASS XVII.										
Miscellaneous.....	23	—	—	—	—	11	—	2	10	23
TOTALS—FACTORIES.....	606	7	2	4	22	268	44	22	237	600
NON-FACTORIES.										
Electric Power Stations and Distribution Systems.....	64	6	2	—	4	23	9	—	20	59
Municipal Works other than Power Stations	3	—	—	—	—	2	—	—	1	3
Buildings, Flats, Shops, Private Houses, etc.	11	1	—	—	—	9	1	—	—	11
Other Concerns not liable for Registration..	47	6	1	—	8	21	1	—	10	47
TOTALS—NON-FACTORIES.....	125	13	3	—	12	55	11	—	31	120
GRAND TOTALS.....	731	20	5	4	34	323	55	22	268	720

(e) Accidents during 1937—Classification.

Classification.	Total Number of Casualties.	Killed.				Injured.				Number of Separate Accidents.
		European.	Coloured.	Asiatic.	Native.	European.	Coloured.	Asiatic.	Native.	
I (a).										
Prime Movers.....	—	—	—	—	—	—	—	—	—	—
I (b).										
Transmission Machinery.....	33	2	2	1	5	8	2	—	13	33
I (c).										
Lifting Machinery.....	32	2	—	—	6	10	2	1	11	32
I (d).										
Working Machinery.....	281	2	1	—	4	121	31	12	110	280
II.										
Explosions, Fire.....	14	—	—	—	2	8	—	—	4	12
III.										
Poisonous, Hot or Corrosive Substances..	40	1	1	—	3	17	2	1	15	39
IV.										
Electricity.....	30	8	1	—	3	14	1	—	3	27
V.										
Falls of Persons.....	65	2	—	2	2	27	10	2	20	62
VI.										
Stepping on or striking against Objects..	18	—	—	—	—	17	—	1	—	18
VII.										
Falling Objects.....	64	3	—	—	3	28	—	1	29	63
VIII.										
Handling without Machinery.....	55	—	—	—	1	24	3	—	27	55
IX.										
Hand Tools.....	25	—	—	—	—	17	2	—	6	25
X.										
Miscellaneous.....	74	—	—	1	5	32	2	4	30	74
TOTAL.....	731	20	5	4	34	323	55	22	268	720

5. WORKMEN'S COMPENSATION ACT, 1934 (AS AMENDED BY
ACT No. 38 OF 1936).

REPORT OF THE WORKMEN'S COMPENSATION COMMISSIONER
(MR. J. F. MALHERBE).

In the presentation of this report, the same method as adopted in previous reports has been followed, viz. the various sections of the Act have been dealt with in numerical order. Although the provisions of the Act are now more widely known and better understood, considerable difficulty is still being experienced in interpreting certain sections. This has necessitated many references to the Commissioner. A few decisions involving the interpretation of the Act have been given by the Courts and these will be referred to later in this report under their relevant sections.

GENERAL.

Section 2.—Information has on several occasions been sought whether compensation is payable to workmen in respect of disablement by illness, which they allege is due to their work, but which is not included in the Second Schedule to the Act as an industrial disease. Compensation is payable in cases where workmen are disabled or die as the result of accidents which have arisen out of and in the course of their employment and also in cases where the disablement or death is the result of a scheduled disease, but the view is held that where the disablement or death is due to disease, other than a scheduled disease, which is not attributable to some accidental circumstances arising out of and in the course of the employment but is caused by "gradual process", compensation is not payable. Compensation has been paid to a workman over whom some wet cement had accidentally been spilt, and who had to continue to work in his wet clothes in a cold wind and had contracted an illness in consequence. The spilling of the cement was regarded as the accident giving rise to the illness which caused the disablement.

Complaints have been made of delay in the payment of compensation, and although there have been instances of delay, these have not been of frequent occurrence. In every case where the compensation payable is in the form of a lump sum exceeding £200, or £50 in the case of a minor, it is necessary to ascertain whether the beneficiary is a fit and proper person to receive such compensation in a lump sum. Similarly, in the case of pensions payable in respect of the children of deceased workmen, inquiries are made in order to ascertain in what manner and to whom such pensions should be paid. This information is necessary to enable the Commissioner to issue his directions in terms of Section 37 of the Act, and although every effort is made in this office to ensure that payment of compensation is made as expeditiously as possible, some delay must of necessity arise. There have been instances of delay on the part of insurers in making payment but it has been pointed out that frequently accidents are not brought to their notice by the employer until a considerable time has elapsed. A workman was injured on the 29th January, 1937, but the matter was not brought to the notice of the employer's insurer until the 8th July, 1937. In another case the insurance company concerned was unaware of the fact that a workman had been injured until months later when he complained that the compensation to which he was entitled had not been paid to him. Cases have also occurred where the widows of deceased workmen, who receive their compensation in monthly instalments, have changed their addresses without giving notice of the fact, but have nevertheless been highly indignant because the subsequent instalments had not reached them on the due dates.

Some employers have adopted the attitude that, being covered by insurance, they need not concern themselves if their workmen should meet with accidents. One such employer told his injured workman that he had paid the premium and therefore "washed his hands of the whole affair". It was thus left to the workman to communicate with the employer's insurer in order to obtain the compensation due to him. This attitude on the part of employers is regrettable as workmen are not concerned with their employers' insurers but are entitled to look to the employers themselves for payment of compensation. All workmen other than natives must, as soon as possible after the happening of the accident causing disablement, give written notice thereof to their employers, who should then refer the matter to their insurers so that any compensation due may be paid as speedily as possible. Native workmen need not report the occurrence of accidents for it is the duty of their employers to make the necessary reports forthwith.

Section 5.—This section provides that where a workman meets with an accident which is due to the negligence of the employer or of a person entrusted by the employer with the management of his trade or business or to a patent defect in the condition of the premises, plant or machinery used in such trade or business, the workman or, in the case of his death, his representative, may apply to the magistrate for further compensation in addition to that ordinarily payable. Such further compensation has been

successfully claimed in several cases, but a note of warning is sounded against the tendency, which has been noticed, of claiming further compensation under this section in cases where it is not justified. Before such an application can be heard by the magistrate, the Commissioner must be of the opinion that there is *prima facie* proof that the applicant is entitled to additional compensation, and cases have occurred in which such proof was not furnished to the satisfaction of the Commissioner, whose duty it is to protect applicants from making rash and unjustified application to Court which might involve them in unnecessary legal expenses.

In two cases where additional compensation was granted by magistrates on the ground of the negligence of the employer, the latter appealed to the Supreme Court against the magistrate's decision, and in each case the appeal was dismissed.

Section 14.—A workman was requested by his employer to submit himself for medical examination by a doctor nominated by the employer. He agreed, but insisted that his own medical adviser should be present. One doctor wished the examination to take place at a hospital, whereas the other insisted that it should be made at a nursing home which he named, and he refused to attend if the examination was made at the hospital. The first doctor likewise refused to attend if it was made at the nursing home. Neither party would avail himself of the services of another doctor. The matter was referred to the Commissioner and the difficulty was eventually overcome, but some delay occurred which could have been avoided.

Section 15.—Several agreements as to the compensation to be paid were submitted to the Commissioner for his approval prior to being made orders under the Act. Each case was carefully examined in order to ensure that the agreement was reasonable in the circumstances and not prejudicial to the workman. In one or two cases the agreements were reported upon as being inequitable, regard being had to all the circumstances.

Section 16.—A large number of agreements providing for payment of less than the prescribed compensation in the event of the workman sustaining an accident were submitted for approval under this Section, the total up to the end of the year 1937 being 1,913. These agreements are based upon the certificates of district surgeons to the effect that owing to certain physical disabilities, to be specified in the certificates, the workmen concerned are specially liable to meet with accidents or sustain serious injuries if employed as workmen. Nevertheless, cases have occurred where agreements have been submitted for approval although the district surgeons had certified that the workmen were not so liable. The provisions of this section were intended to assist old or partially disabled workmen in securing employment, but care has to be taken to prevent abuse creeping in, and to ensure that unjustified agreements are not approved of.

The number of workmen who had entered into agreements in terms of this section, and who were in consequence paid compensation at a reduced rate for subsequent injuries was 36.

Section 20, sub-section (2) and (3).—No magistrates have been assigned to determine questions as provided in sub-section (2), and no advocates have been appointed to act as magistrates in terms of sub-section (3).

Sub-section (4).—Many disputes have been referred to the Commissioner, but the number actually determined in Court is very small.

Section 34.—This section provides that orders or agreements for the payment of compensation may be revised within a period of six months in the case of a lump sum, and within five years in the case of a pension. A workman who was injured was granted compensation payable partly in a lump sum and partly in the form of a monthly pension. After the lapse of some months he was working at his old trade at full wages, and the insurance company concerned obtained an order of court discontinuing the pension payment.

Section 37.—This section empowers the Commissioner to direct in what manner the payment of pensions, in respect of the children of deceased workmen, and of lump sums exceeding £200 in the case of majors and £50 in the case of minors must be made. In nearly all cases beneficiaries desire to be paid their compensation in a lump sum, and great dissatisfaction is often expressed when payment is made in instalments. In some cases it is argued that the money belongs to the beneficiary and interference on the part of the Commissioner is resented. Payment in instalments is made only when the beneficiary is, owing to his youth or for some other reason, considered not to be a fit and proper person to receive his compensation in a lump sum, but the beneficiaries seldom appreciate that it is in their own interests that control is exercised over their money. Indeed threats were made in two cases that legal steps would be taken to compel payment in full. Where money is paid in instalments, the capital sum is invested for the benefit of the beneficiaries, who thus receive interest on the unpaid balances.

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ERRATA.

ANNUAL REPORT, DEPARTMENT OF LABOUR (U.G. 30/1938).

Page 88. (Under heading INSURANCE RATES): Delete the second paragraph and substitute the following:—

During the period 1st July, 1935 to the 31st December, 1936, the companies collected £1,093,057. 10s. 4d. in premiums and paid £455,217. 11s. 10d. in claims, or 41·65 per cent. Under the scheme then in operation they were allowed to retain £382,570. 2s. 7d. or 35 per cent., and it became necessary for them to refund £255,269. 15s. 11d., or 23·35 per cent., to insured employers. If the new scheme had then been in operation, the companies would have retained £245,117. 3s. 4d., or 22·42 per cent., of the amount collected and refunded £392,722. 15s. 2d., or 35·93 per cent. The benefit to employers under the new scheme is obvious. It should be added that the tariff companies have agreed that the new scheme should be effective as from the 1st *January*, 1937.

Page 85. Under sub-heading Section 47. The figures given should read:—

Europeans, Coloured Persons and Asiatics	42,988
Natives	24,931
	<hr/>
TOTAL	67,919
	<hr/>

(A) 1.

DTG 27 PM 10 01

Pensions in respect of children are usually paid to the surviving parent, but where such parent is not considered to be a fit and proper person to receive and administer the pension other means are adopted to ensure that the children will receive the benefit of the pensions. In some instances payment has been made to the Child Welfare Society.

The control which the Commissioner is empowered to exercise is in many cases very necessary. The case may be quoted of a coloured woman whose husband was killed by accident and who became entitled to payment of £105 in a lump sum. There was also a pension in respect of a child. The lump sum, not being subject to the control of the Commissioner, was paid to the widow and the pension was also paid to her. Shortly after receiving the lump sum, she was living with the husband of another woman. This man had recently served a term of imprisonment, did not work and lived on the pension payable in respect of the child, as the lump sum had, within three months of receipt, already been spent. As there was grave danger of the child's pension being misspent, steps were taken for the local Child Life Protection Society to exercise control over the spending of the pension.

Insurance companies have paid sums exceeding £200 and £50, respectively, to beneficiaries without first having obtained the Commissioner's directions. This constitutes a breach of the conditions subject to which licences are issued to insurance companies, and serious notice will be taken thereof in future.

During the calendar year 1936, an amount of £5,859. 5s. 11d. was paid to the Accountant of the Department of Labour on the direction of the Commissioner for investment on behalf of injured workmen and the dependants of deceased workmen. During the calendar year 1937 the amount paid to the Accountant for this purpose was £10,903. 6s. 8d.

Section 46.—In the case of the City Council of Johannesburg *versus* Charles Walters & Co., which came before the Transvaal Provincial Division of the Supreme Court in March, 1937, it was held that where the employer's insurer had paid compensation and the cost of medical aid incurred, the employer can recover the money so paid from a third party who is liable to pay damages.

Section 47.—The position remains as set out in last year's report. The number of claims in respect of which payment of compensation or medical aid was made during the year under review was:—

Europeans, Coloured Persons and Asiatics	24,766	42,988
Natives	14,721	24,931
TOTAL	<u>39,487</u>	<u>67,919</u>

Section 48 (3).—A workman employed as a blacksmith lost one eye owing to a spark lodging in it. He claimed compensation on a higher basis than that ordinarily allowed by the Act on the ground that the injury had particular consequences, inasmuch as he would now have to seek other employment because he ran the risk of losing his remaining eye if he continued in his employment as a blacksmith. The magistrate awarded increased compensation and his decision was upheld on appeal, the Court taking the view that the injury did have particular consequences entitling the workman to compensation on a higher basis.

Section 48 (5).—A magistrate assessed the compensation due to a workman under the age of 21 years upon his earnings at the time of the accident, and not upon an amount equal to his earnings three years after the accident. The insurance company concerned nevertheless paid as compensation a sum based upon the latter amount.

Section 49 (1) (e).—This section provides for the payment, as compensation to the partial dependants of a deceased workman, of "a sum proportionate to the extent of the dependency". The practical application of this provision gives rise to great difficulty inasmuch as the true extent of dependency can generally not be ascertained with any degree of certainty. The amendment of this section is necessary so as to make its application less difficult.

Section 52.—A case had occurred of a workman who was so badly injured that he required the constant help of another person. The necessary arrangements were made for the payment to the workman of a monthly allowance towards the cost of such help.

MEDICAL AID.

Section 55.—There appears to be some misconception in regard to the interpretation of this section, due, perhaps, to its wording. The question has frequently been asked whether employers must defray the cost of medical aid in cases where no compensation is payable. There can be no doubt that this question must be answered in the affirmative. Compensation and the cost of medical aid are two entirely separate and distinct liabilities.

Section 57.—A new Schedule F, fees and charges for medical aid to workmen, has been prepared and came into operation on the 1st January, 1938. It was published in *Government Gazette Extraordinary* dated 15th December, 1937. Although not perfect, the new schedule is a great improvement upon the old one which was in operation since the commencement of the Act, and which gave rise to many difficulties which will now disappear.

The arrangement, according to which fees in cases of dispute or difficulty are assessed by the local branch of the Medical Association, is still in force, but should there be dissatisfaction as a result of such assessment, the matter is referred to the central Assessment Committee of the Medical Association which sits in Johannesburg. Should there still be dissatisfaction with the basis of the assessment, the matter may then be referred to the Commissioner, who consults the Department of Public Health.

Section 59.—The number of arrangements made by employers for furnishing medical aid to their workmen injured by accident is 56.

INDUSTRIAL DISEASES.

Sections 60 to 66.—There have been no additions to or deletions from the Second Schedule to the Act, which contains a list of diseases which have been scheduled as industrial diseases.

COMPENSATION FOR NATIVE WORKMEN.

Sections 67 to 73.—The position is, on the whole, still as stated in the report for 1936.

Section 72 provides that an "officers" may, unless an employer provides his injured native workmen with medical, surgical and hospital treatment free of expense during the period of disablement, award an allowance, payable by such employer towards the reasonable cost of such treatment, not exceeding the sum of twenty-five pounds. Many complaints have been received to the effect that this sum is inadequate, on the grounds that native cases require the same amount of care and skill as non-native cases, in which the amount available for medical aid is one hundred pounds.

INSURANCE.

Section 74.—There is unfortunately still reason to believe that many employers, particularly in the country areas, have not taken out the necessary policies of insurance or indemnity in respect of their potential liability under the Act to all workmen employed by them. Failure to do so is an offence under the Act and efforts continue to be made to trace offenders. Many prosecutions have been instituted and convictions obtained, as workmen whose employers have failed to insure, are entirely without protection in the event of injury if the employers are unable to pay the compensation and cost of medical aid involved. In one case a workman lost both his feet in a threshing machine. The employer, who was threshing grain for other people and was not insured, admitted liability, but stated that he was unable to pay the compensation which is in the form of a monthly pension, and, as the workman is comparatively young, the total amount involved will be fairly large. The employer was prosecuted and fined, but this is poor consolation to the workman who is disabled for the remainder of his life, and has a wife and family to support. Owing to the failure of the employer to carry out the requirements of the law, the workman and his family are made to suffer.

Farmers need not insure their workman engaged in agriculture, but if such workmen meet with accidental injury, resulting in disablement, whilst employed in connection with engines driven or machines worked by mechanical power, which includes motor lorries, then they are entitled to compensation which, as has been shown above, may amount to a considerable strain on the employer's resources. Although employers of the nature described need not insure, it is nevertheless wise for them to do so, and this advice has constantly been given to enquirers.

A question which is often asked is whether the provisions of the Act relating to insurance apply also to churches. The reply to this question is that if churches employ "workmen" in terms of the Act, then they must take out the necessary policies of insurance. Churches are not specifically exempted from the operation of the law, nor is the test to be applied whether the employer is a church or similar institution, but whether its employees are "workmen". If they are, then insurance is necessary. Whether such employees are "workman" or not depends upon the terms and conditions of their employment, and whether that close control is exercised over them which is necessary to bring into existence the relationship of master and servant between employer and employed.

EXEMPTED EMPLOYERS.

Section 74.—The number of employers who have been exempted from the obligation of having to take out insurance policies in terms of this section is nineteen. Two exemptions were granted during the year, and one large exempted concern obtained a policy from an insurance company and requested the cancellation of its exemption certificate.

Section 75.—During the year, two insurance companies and one mutual association were added to the list of those licensed to carry on the business of insurance against their liability to workmen under the Act, this list now being as follows:—

Insurance Companies.

1. Aachen and Munich Fire Insurance Company.
2. African Guarantee and Indemnity Co., Ltd.
3. Alliance Assurance Co., Ltd.
4. Atlas Assurance Co., Ltd.
5. British America Assurance Company.
6. The British Law Insurance Co., Ltd.
7. The British Oak Insurance Co., Ltd.
8. Caledonian Insurance Company.
9. The Central Insurance Co., Ltd.
10. The Century Insurance Co., Ltd.
11. Commercial Union Assurance Co., Ltd.
12. The Dominion Insurance Company of South Africa Ltd.
13. Eagle Star Insurance Co., Ltd.
14. Economic Insurance Co., Ltd.
15. The Employers' Liability Assurance Corporation Ltd.
16. The Essex and Suffolk Equitable Insurance Society Ltd.
17. The Federal Insurance Corporation of South Africa Ltd.
18. General Accident, Fire and Life Assurance Corporation Ltd.
19. Guardian Assurance Co., Ltd.
20. Law Union and Rock Insurance Co., Ltd.
21. The Liverpool and London and Globe Insurance Co., Ltd.
22. The London and Lancashire Insurance Co., Ltd.
23. London and Scottish Assurance Corporation Ltd.
24. The London Assurance.
25. London Guarantee and Accident Co., Ltd.
26. The Motor Union Insurance Co., Ltd.
27. National Employers' Mutual General Insurance Association Ltd.
28. The Netherlands Insurance Company (Est. 1845) Ltd.
29. New India Assurance Co., Ltd. (of Bombay, India).
30. New Zealand Insurance Co., Ltd.
31. North British and Mercantile Insurance Co., Ltd.
32. The Northern Assurance Co., Ltd.
33. Norwich Union Fire Insurance Society Ltd.
34. The Ocean Accident and Guarantee Corporation Ltd.
35. Pearl Assurance Co., Ltd.
36. Phoenix Assurance Co., Ltd.
37. Provincial Insurance Co., Ltd.
38. The Prudential Assurance Co., Ltd.
39. Railway Passengers Assurance Company.
40. Royal Exchange Assurance.
41. Royal Insurance Co., Ltd.
42. Scottish Insurance Corporation Ltd.
43. Scottish Union and National Insurance Company.
44. The Sea Insurance Co., Ltd.
45. The South African Fire and Accident Insurance Co., Ltd.
46. The South African Liberal Insurance Co., Ltd.
47. The South British Insurance Co., Ltd.
48. Southern Life Association of Africa.
49. Suid-Afrikaanse Nasionale Trust en Assuransie Maatskappy Beperk.
50. Sun Insurance Office Ltd.
51. Union and National and General Assurance Company of South Africa Ltd.
52. Union Assurance Society Ltd.
53. The Union Fire, Accident and General Insurance Co., Ltd.
54. Western Assurance Company.
55. The World Auxiliary Insurance Corporation Ltd.
56. The Yorkshire Insurance Co., Ltd.

Fifty of these companies are members of the Workmen's Compensation Insurers' Association of South Africa, and are hereinafter referred to as the tariff companies.

Mutual Associations.

1. The Federated Employers' Mutual Assurance Co., Ltd.
2. The Rand Mutual Assurance Co., Ltd.

The operations of these insurance companies and mutual associations, as well as of exempted employers and Government Departments, are reflected in the schedules attached to this report.

INSURANCE RATES.

There has been a marked reduction in insurance rates during the year. As was stated in last year's report, all insurance rates were reduced by 12½ per cent. as from the 1st January, 1937, and material decreases have

been made in the rates pertaining to a large number of occupations. The view then expressed, that it could reasonably be assumed that much of the criticism levelled against the companies on the ground of high insurance rates would fall away, has been borne out, for practically no complaints were received during the year on this ground. The tariff companies have given a new undertaking to the Minister, which should benefit employers very considerably. In the past they had undertaken to retain 35 per cent. of the gross premiums received and to pay out 65 per cent. by way of claims. If the claims were not sufficient to account for the whole of the 65 per cent., then the balance would be refunded to insured employers. Under the new system the companies have undertaken that for every £65 paid out in claims, they will require £35 to cover the cost of administration. Under the old system 35 per cent. was deducted from the total premium income, including the amount to be refunded to employers, therefore the higher the premium rates, the greater was the share of the companies. Under the new scheme this income is not affected by high or low insurance rates; the governing factor is the amount paid in claims which is, of course, not controlled by the companies.

During the period 1st July, 1935 to the 31st December, 1936, the companies collected £1,093,057. 10s. 4d. in premiums and paid £455,217. 11s. 10d. in claims, or 41·65 per cent. Under the scheme then in operation they were allowed to retain £382,570. 2s. 7d. or 35 per cent., and it became necessary for them to refund £255,269. 15s. 11d., or 23·35 per cent., to insured employers. If the new scheme had then been in operation, the companies would have retained £245,117. 3s. 4d., or 22·42 per cent., of the amount collected and refunded £392,722. 15s. 2d., or 35·93 per cent. The benefit to employers under the new scheme is obvious. It should be added that the tariff companies have agreed that the new scheme should be effective as from the 1st January, 1937.

The rebate to be allowed in respect of the year 1937 by the tariff companies, together with three non-tariff companies who were members of the tariff during 1937, namely:—

The African Guarantee and Indemnity Co., Ltd.,
The National Employers' Mutual General Insurance Association, Ltd.,
The Scottish Insurance Corporation, Ltd.,
is 25·19 per cent. and has been calculated as follows:—

1. Premium income.....	£760,084 10 2	
Less 1% contribution to Revenue.....	4,983 10 5	
		£755,100 19 9
2. Claims—		
(a) Payments made during		
1937.....	£329,318 9 2	
Less recoveries.....	347 12 7	
		328,970 16 7
(b) Add outstanding claims		
as at 31/12/37—		
(i) unpaid claims...	£105,737 16 9	
(ii) capitalized value		
of pensions.....	76,735 7 6	
		182,473 4 3
		£511,444 0 10
(c) Less outstanding claims		
as at 31/12/36—		
(i) unpaid claims...	£98,369 0 11	
(ii) capitalized value		
of pensions.....	46,710 2 7	
		145,079 3 6
		£366,364 17 4
3. Expenses of administration allowed : (i.e. 35/65ths		
of £366,364. 17s. 4d.).....	197,273 7 10	
		£563,638 5 2
4. Balance (i.e. amount to be refunded to employers).	191,462 14 7	
		£755,100 19 9

In respect of the year 1937, the tariff companies and the three non-tariff companies mentioned established a ratio of benefits to expenses of 65:35 on their collective experience, but it will be noted that the interest on the deposits, amounting to £22,228. 14s. 5d., was not taken into account.

(b) *Non-tariff Companies.*

(1) *The African Guarantee and Indemnity Co., Ltd.*

This Company has given the following undertaking, to be effective from the 1st January, 1938:—

(a) It will work to a ratio of benefits to expenses of 65:35, based upon the collective experience of the tariff companies, but reserves to itself the right to work to a ratio of 65:35 on its own experience, whichever experience should be more beneficial to the company.

(b) The Company will not charge premium rates in excess of the maximum rates laid down by the tariff companies.

(2) *The Scottish Insurance Corporation, Ltd.*

The undertaking given by this Corporation is identical to that given by the African Guarantee and Indemnity Co., Ltd.

(3) *The National Employers' Mutual General Insurance Association, Ltd.*

This Company has given the following undertaking, to be effective as from the 1st January, 1938:—

- (a) It will work to a ratio of benefits to expenses of 65:35, based upon the collective experience of the tariff companies.
- (b) The Company will not charge rates in excess of those laid down by the tariff companies, but any reduction made by this Company in such rates will be regarded as rebates given in advance.

(4) *The Dominion Insurance Company of South Africa, Ltd.*

This Company started operations on the 1st July, 1937, with premium rates materially lower than the premium rates then prevailing. It gave an undertaking to the effect that it would retain 25 per cent. of the premium collections and pay the balance of 75 per cent. by way of claims and rebates. The Company also intimated that its first rebate would be declared after it had operated for eighteen months, i.e. at the end of the year 1938. In this connection, it must be pointed out that the tariff companies only declared their first rebate after a period of eighteen months had elapsed.

(5) *General Accident, Fire and Life Assurance Corporation, Ltd.*

This Corporation, which started writing workmen's compensation insurance during 1937, gave an undertaking to the effect that it would retain 35 per cent. of the premiums collected and return the balance of 65 per cent. by way of claim payments and rebates, and that the rebates to be returned were to be calculated on the average experience of all companies. On this basis, the refund to be made by the Corporation is 18·23 per cent.

(6) *Southern Life Association of Africa.*

This Association has given an undertaking that, as from the 1st January, 1938, it will retain 20 per cent. of premium collections for expenses and 5 per cent. for the purpose of creating reserves for the benefit of the various classes of employers insured with it, and to refund the balance of 75 per cent. by way of claim payments and rebates. The rebates will be calculated on its own experience. In respect of the year 1937, the Association is giving the same rebate as the tariff companies, namely, 25·19 per cent.

The position, taken over the period of two and a half years, of all licensed insurers is as follows:—

1. Premium income.....	£2,358,294 5 8
Less (a) 1% contribution to Revenue.....	20,853 9 9
	<hr/>
	2,337,440 15 11
(b) reserve for unexpired risks as at 31/12/37....	411,695 3 0
	<hr/>
	1,925,745 12 11
(c) rebates allowed and due (estimated).....	462,960 12 9
	<hr/>
	£1,462,785 0 2
	<hr/>
2. Interest on deposits.....	£38,940 19 8
	<hr/>
3. Claims—	
(1) Payments to 31/12/37.....	£654,907 12 10
(2) Value of outstanding claims as at 31/12/37.....	115,638 6 11
(3) Capitalized value of pensions payable as at 31/12/37....	79,330 16 3
	<hr/>
	£849,876 16 0
	<hr/>
4. Ratio of benefits to expenses.....	58·1 : 41·9
5. Ratio of benefits to expenses (if interest is included)..	56·6 : 43 4

MUTUAL ASSOCIATIONS.

Two mutual associations were licensed during the year 1937. One of them, namely, the Federated Employers' Mutual Assurance Co., Ltd., is a member of the tariff offices, and charges the same rates. Details of its premiums and claims have, therefore, been included with those of the tariff companies.

The other mutual association is the Rand Mutual Assurance Co., Ltd. Details of the claims paid by this company are reflected in Annexures I to V attached to this report, and its ratio of the claims paid to expenses of administration is approximately 91:9.

EXEMPTED EMPLOYERS.

[Section 74 (2) of Act.]

The following is the position in regard to exempted employers:—

	1/1/36 to 31/12/36 (12 months).	1/1/37 to 21/12/37 (12 months).
(1) Number of exempted employers.....	17	19
(2) Number of workmen employed—		
(a) Europeans.....	14,648	16,495
Asiatics.....	391	423
Coloureds.....	2,134	2,453
(b) Natives.....	14,983	19,357
	32,156	38,728
	£ s. d.	£ s. d.
(3) Annual wages.....£	4,170,766 18 6	5,006,101 8 7

	1/7/35 to 31/12/36. (18 months.)	1/1/37 to 31/12/37. (12 months.)	Total for 2½ years.
	£ s. d.	£ s. d.	£ s. d.
(4) Premiums payable if insured.....	67,604 12 6	51,650 15 7	119,255 8 1
Less refund of (1) 23·52 per cent. (2) 25·19 per cent. made by insurance companies.	15,900 12 2	(1) 13,010 16 7	(2) 28,911 8 9
£	51,704 0 4	38,639 19 0	90,343 19 4
(5) Interest on deposits.....£	3,897 10 0	3,200 2 6	7,097 12 6
(6) (a) Compensation paid.....	8,457 9 4	13,987 1 2	22,444 10 6
(b) Reserve for Outstanding Claims (in- cluding pensions).....	—	3,445 6 2	3,445 6 2
£	8,457 9 4	17,432 7 4	25,889 16 8
(c) Licence fees and contribution to Revenue of 1 per cent. on premium payable if insured.....£	774 14 5	449 7 7	1,224 2 0
(7) Total expenditure.....£	9,232 3 9	17,881 14 11	27,113 18 8

The cost of workmen's compensation for the two and a half years under review amounted to £27,113. 18s. 8d. compared with a net premium of £90,343. 19s. 4d. which would have been payable on insurance. The result is a considerable saving to exempted employers, some of whom pay full wages to their workmen whilst temporarily totally disabled.

6. UNEMPLOYMENT BENEFIT ACT, 1937.

In 1937 a new milestone was reached in social legislation in the Union with the passing by Parliament of the Unemployment Benefit Act (No. 25 of 1937), which provides for the payment of benefit to workers, in certain industries, who are capable of and available for work, but are unemployed, and for matters incidental thereto.

The Act contains a schedule of eight industries in respect of which unemployment benefit funds may be established. These are:—

Building Industry,
Mechanical and Electrical Engineering Industry,
Motor Engineering Industry,
Furniture Making Industry,
Gold Mining Industry within the magisterial districts of Krugers-
dorp, Roodepoort, Johannesburg, Germiston, Boksburg, Brak-
pan, Benoni, Springs and Heidelberg,
Leather and Footwear Manufacturing Industry,
Printing and Newspaper Industry,
Clothing Industry.

The Governor-General may add to or delete from this schedule any industry by proclamation in the *Gazette*.

Briefly the provisions of the Act are the following:—

An Unemployment Benefit Fund in respect of any scheduled industry may be established by the Minister upon receipt of an application by an employers' organization or trade union regarded by him as sufficiently representative of the employers or employees in the industry in any area or

areas. If he deems it expedient, the Minister may establish such a fund on his own initiative. The control and administration of each fund is vested in a Management Committee consisting of an equal number of representatives of employers and employees.

General supervision over all funds established is exercised by a body styled the Central Authority for Unemployment Benefit Funds, which is required to report annually to the Minister for the information of Parliament. Contributions to the fund are made by employees (called contributors), employers and the State. Contributors are divided into three groups, the weekly rates of contribution in respect of each group being as follows:—

	Employer.	Contributor.
GROUP I.—Earnings not exceeding £78 per annum.....	6d.	2d.
GROUP II.—Earnings over £78 per annum but not exceeding £130 per annum.....	10d.	6d.
GROUP III.—Earnings over £130 per annum but not exceeding £450 per annum.....	1s.	1s.

A Group III contributor continues as such until his earnings exceed £500 per annum. The State's contribution to the fund is 25 per cent. of the amounts collected from employers and contributors, and is made at such times and in such manner as the Minister may determine in consultation with the central authority and on proof of payment of contributions by employers and contributors being furnished. A like sum is contributed from Revenue to a central fund, the object of which is to render assistance either by way of a grant or a loan to any fund which requires it.

Subject to certain prescribed conditions weekly benefit payments are made to an unemployed contributor. These payments are at the rate applicable to the group in which the contributor was employed when contributions were last paid in respect of him, and are as follows:—

	s.	d.
Group I	10	0
Group II	20	0
Group III	30	0

The Act provides that the central authority may alter the rates of contributions or benefit or vary the conditions relating to the payment of benefit should conditions disclosed by the administration of a fund warrant such action.

During the year under review the Regulations were framed. These provide for the form in which application must be made for the establishment of a fund, the nature of the time and wage records to be maintained, and the notifications, statements and returns to be forwarded to committees by employers and the method of recording contributions by means of stamps affixed in contributions books.

The Central Authority was duly constituted, its members being the Under-Secretary for Labour (Chairman), the Accountant of the Department of Labour and the Industrial Registrar. In consultation with the various employers' organizations, trade unions and industrial councils registered for the scheduled industries, a comprehensive handbook was prepared containing a summary of the Act, the central authority's instructions to and suggestions for the guidance of management committees, and the following appendices:

- draft rules for management committees;
- a leaflet containing information concerning employers and contributors;
- a memorandum of arrangements to be concluded between a management committee and any local committee which it might be found necessary to appoint in order to facilitate administration of a fund in an extensive area.

By Proclamation No. 262, dated 13th December, 1937, the Governor-General fixed the 1st January, 1938, as the date of commencement of the Act. The regulations were published in Government Notice No. 1959 of 1937.

LICENSED INSURERS.

SUMMARY OF RETURNS (FORMS NO. 38) RENDERED BY INSURANCE COMPANIES LICENSED UNDER THE WORKMEN'S COMPENSATION ACT, 1934, SHEWING THE RESULT OF THEIR OPERATIONS FOR THE YEAR ENDED 31ST DECEMBER, 1937.

(NOTE.—E., A. and C.: European, Asiatic and Coloured Workmen.)

ANNEXURE I.

	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>To Claims Paid.</i>										By Employers' Liability Fund as at		
(a) Periodical Payments to Workmen—										1st January, 1937.....		
(1) E., A. and C. (Sec. 47).....	89,999	11	1							581,383 14 9		
(2) Natives (Sec. 69).....	12,820	9	2							£ s. d.		
				102,820	0	3				By Premium Income.		
(b) Lump Sum Payments to Workmen—										(1) E.A.C. 623,263 16 4		
(1) E., A. and C. (Sec. 48).....	62,104	7	5							(2) Natives. 200,127 0 6		
(2) Natives (Sec. 70).....	13,951	9	1							£823,390 16 10		
				76,055	16	6				Add Interest.....		
(c) Lump Sum Payments to Dependants—										22,228 14 5		
(1) E., A. and C. (Sec. 49).....	17,406	4	1							845,619 11 3		
(2) Natives (Sec. 71).....	8,876	0	3							By Other Income.....		
				26,282	4	4				490 13 8		
(d) Pensions—												
(1) E., A. and C. workmen (Sec. 48)..	2,207	0	0									
(2) E., A. and C. children (Sec. 49)...	2,366	4	2									
				4,573	4	2						
(e) Cost of Medical Aid—												
(1) E., A. and C. (Sec. 55).....	101,502	18	10									
(2) Natives.....	33,599	11	8									
				135,102	10	6						
(f) Transport of Injured Workmen—												
(1) E., A. and C. (Sec. 54).....	1,084	16	0									
(2) Natives (Sec. 54).....	514	4	1									
				1,599	0	1						
(g) <i>Ex Gratia</i> Payments—												
(1) E., A. and C.....	1,070	18	2									
(2) Natives.....	55	15	9									
				1,126	13	11						
(h) Increased Awards—												
(1) E., A. and C. (Sec. 5).....	2,181	10	0									
(2) Natives (Sec. 5).....	—											
				2,181	10	0						
(i) Funeral Expenses—												
(1) E., A. and C.....	42	3	0									
(2) Natives.....	40	0	0									
				82	3	0						
(j) Constant Attendance (Sec. 52)—												
(1) E., A. and C.....	59	12	0									
(2) Natives.....	25	0	0									
				84	12	0						
(k) Sundries—												
(1) E., A. and C.....	37	4	7									
(2) Natives.....	—											
				37	4	7						
<i>To Rebates—1935/36</i>	272,996	5	11				349,944	19	4			
							272,996	5	11			
<i>To Expenses.</i>												
(a) (1) Licence fees for 1937.....	570	0	0									
(2) 1 per cent. contribution to Revenue on premiums.....	5,503	19	7									
				6,073	19	7						
(b) Commission paid to agents.....	24,800	11	2									
(c) Expenses of administration.....	163,922	5	10									
(d) Legal and medical expenses.....	2,151	2	10									
(e) Assessors' fees.....	1,305	15	5									
(f) Sundries.....	13	10										
				192,180	9	1						
							198,254	8	8			
<i>To Employers' Liability Fund as at 31st December, 1937</i>												
(1) Capitalized Value of Pensions.												
(a) Workmen (57)—												
(i) Pension.....	£59,006	5	9									
(ii) Constant attendance	909	2	2	59,915	7	11						
(b) Children (171).....	19,415	8	4									
				79,330	16	3						
(2) Reserve for Outstanding Claims.												
(a) Periodical Payments to Workmen—												
(1) E., A. and C. (Sec. 47)£26,677	11	3										
(2) Natives (Sec. 69).....	5,658	11	9	32,336	3	0						
(b) Lump Sum Payments to Workmen—												
(1) E., A. and C. (Sec. 48)	23,923	17	5									
(2) Natives (Sec. 70).....	4,473	9	0	28,397	6	5						
(c) Lump Sum Payments to Dependants—												
(1) E., A. and C. (Sec. 49)	8,319	0	0									
(2) Natives (Sec. 71).....	4,118	8	5	12,437	8	5						
(d) Cost of Medical Aid—												
(1) E., A. and C. (Sec. 55)£31,313	8	5										
(2) Natives (Sec. 72).....	10,537	2	4	41,850	10	9						
(e) Transport of Injured Workmen—												
(1) E., A. and C. (Sec. 54)	£337	8	4									
(2) Natives (Sec. 54).....	101	19	4	439	7	8						
<i>Carried forward</i>				£115,460	16	3	£79,330	16	3	£821,195	13	11
										<i>Carried forward</i>		
										£1,427,860		
										0 1		

Brought forward £115,450 16 3 £79,330 16 3 £821,195 13 11					Brought forward £1,427,860 0 1				
(f) <i>Ex Gratia</i> Payments—									
(1) E., A. and C.....	30	5	0						
(2) Natives.....	—			30	5	0			
	<hr/>								
(g) Increased Awards—									
(1) E., A. and C. (Sec. 5)	—								
(2) Natives (Sec. 5).....	—								
	<hr/>								
(h) Funeral Expenses—									
(1) E., A. and C.....	2	13	9						
(2) Natives.....	10	0	0						
	<hr/>				12	13	9		
(i) Sundries—									
(1) E., A. and C.....	£134	11	11						
(2) Natives.....	—								
	<hr/>				134	11	11		
					<hr/>				
					115,638	6	11		
					<hr/>				
					194,969	3	2		
(3) <i>Reserve for Unexpired Risks</i> (50 per cent. of Premium).....					411,695	3	0		
					<hr/>				
						606,664	6	2	
To Balance.....						<hr/>			
					£1,427,860	0	1		
					<hr/>				
						£1,427,860	0	1	
					<hr/>				

(1) The sum of £349,944. 19s. 4d. was paid in respect of injuries to 24,766 Europeans, Asiatics and Coloureds and 14,721 Natives, a total of 39,487 workmen.

(2) The sum of £115,638. 6s. 11d. is the outstanding claims cost in respect of 3,864 Europeans, Asiatics and Coloureds and 2,893 Natives, a total of 6,757 workmen.

(NOTE—E., A. and C.—European, Asiatic and Coloured Workmen).

<i>Carried forward</i>	£32,336	3	0	£79,330	16	3	£1,288,024	5	10
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Carried forward £2,124,929 19 5

<i>Brought forward</i> £32,336 3 0				£79,330 16 3	£1,288,024 5 10		
						<i>Brought forward</i> £2,124,929 19 5	
(b) Lump Sum Payments to Workmen—							
(1) E., A. and C. (Sec. 48)				23,923 17 5			
(2) Natives (Sec. 70)...				4,473 9 0			
					28,397 6 5		
(c) Lump Sum Payments to Dependents—							
(1) E., A. and C. (Sec. 49)				8,319 0 0			
(2) Natives (Sec. 71)...				4,118 8 5			
					12,437 8 5		
(d) Cost of Medical Aid—							
(1) E., A. and C. (Sec. 55)				31,313 8 5			
(2) Natives (Sec. 72)...				10,537 2 4			
					41,850 10 9		
(e) Transport of Injured Workmen—							
(1) E., A. and C. (Sec. 54)				337 8 4			
(2) Natives (Sec. 54)...				101 19 4			
					439 7 8		
(f) Ex gratia Payments—							
(1) E., A. and C.....				30 5 0			
(2) Natives.....				—			
					30 5 0		
(g) Increased Awards—							
(1) E., A. and C. (Sec. 5)				—			
(2) Natives (Sec. 5)....				—			
(h) Funeral Expenses—							
(1) E., A. and C.....				2 13 9			
(2) Natives.....				10 0 0			
					12 13 9		
(i) Sundries—							
(1) E., A. and C.....				134 11 11			
(2) Natives.....				—			
					134 11 11		
					115,638 6 11		
					194,969 3 2		
(3) <i>Reserve for Unexpired (Risks 50% of 1937 Premium)</i>					411,695 3 0		
						606,664 6 2	
<i>To Balance</i>						230,241 7 5	
						£2,124,929 19 5	£2,124,929 19 5

(1) The sum of £654,907. 12s. 10d. was paid in respect of injuries to 50,047 Europeans, Asiatics and Coloureds and 26,744 Natives, a total of 76,791 workmen.

(2) The sum of £115,638. 6s. 11d. is the outstanding claims cost in respect of 3,864 Europeans, Asiatics and Coloureds and 2,893 Natives, a total of 6,757 workmen.

	(including Harbours).	Grand Total.		
	Total.	1935-36.	1937.	Total.
Number of workmen—				
Europeans.....	13,896	28,202	35,316	63,518
Asiatics.....	26	1,271	1,307	2,578
Coloureds.....	1,464	6,555	6,365	12,920
TOTAL.....	15,386	36,028	42,988	79,016
Married.....	9,656	20,435	24,647	45,082
Females.....	44	2,214	2,201	4,415
Fatal injuries.....	112	205	196	401
“A” Claims*.....	4,081	9,089	13,567	22,656
Earnings lost during temporary disablemen	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Periodical payments (Sec. 47).....	102,291 3 5	325,107 13 10	393,613 7 6	718,721 1 4
Periodical payments per £100 wages lost..	58,337 7 1	163,036 4 4	196,037 6 1	359,073 10 5
Cost of medical aid.....	57 0 0	50 3 0	49 16 0	49 19 0
Transport.....	9,639 4 1	169,721 19 5	150,185 3 7	319,907 3 0
Lump sums paid to workmen for permanen	152 12 5	1,003 9 11	1,178 6 9	2,181 16 8
disablement.....	12,320 10 0	87,463 14 0	119,646 17 0	207,110 11 0
Pensions paid to workmen.....	1,154 9 11	1,043 5 2	3,528 7 2	4,571 12 4
Compensation paid to dependants—				
(1) Excluding children's pensions.....	21,345 5 3	43,322 18 1	46,115 0 0	89,437 18 1
(2) Children's pensions.....	2,937 9 6	3,793 7 11	7,264 2 1	11,057 10 0
Ex gratia payments.....	360 19 10	20,042 13 4	28,278 17 8	48,321 11 0
Increased awards.....	—	2,369 7 5	2,181 10 0	4,550 17 5
Funeral expenses.....	16 0 0	135 5 0	42 3 0	177 8 0
Sundries	3 11 5	45 0 2	41 2 8	86 2 10
Constant attendance	—	—	59 12 0	59 12 0
TOTAL.....	106,267 9 6	491,977 4 9	554,558 8 0	1,046,535 12 9

ANNEXURE III.

(I).—ACTUAL PAYMENTS—EUROPEAN, ASIATIC AND COLOURED WORKMEN.

97—98

	Licensed Insurers.			Mutual Associations.			Exempted Employers.			Government Departments (including South African Railways and Harbours).			Grand Total.		
	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.
Number of workmen—															
Europeans.....	18,672	18,029	36,701	6,335	5,490	11,825	581	515	1,096	2,614	11,282	13,896	28,202	35,316	63,518
Asiatics.....	1,249	1,282	2,531	2	4	6	4	11	15	16	10	26	1,271	1,307	2,578
Coloureds.....	5,360	5,455	10,815	60	34	94	306	241	547	829	635	1,464	6,555	6,365	12,920
TOTAL.....	25,281	24,766	50,047	6,397	5,528	11,925	891	767	1,658	3,459	11,927	15,386	36,028	42,988	79,016
Married.....	13,338	13,007	26,345	4,288	3,634	7,922	641	518	1,159	2,168	7,488	9,656	20,435	24,647	45,082
Females.....	2,171	2,147	4,318	1	3	4	21	28	49	21	23	44	2,214	2,201	4,415
Fatal injuries.....	97	85	182	43	54	97	—	9	10	64	48	112	205	196	401
“A” Claims*.....	7,441	9,418	16,859	395	578	973	385	358	743	868	3,213	4,081	9,089	13,567	22,656
Earnings lost during temporary disablement	£ s. d. 165,875 18 7	£ s. d. 174,881 17 5	£ s. d. 340,757 16 0	£ s. d. 135,969 15 10	£ s. d. 129,120 14 7	£ s. d. 265,090 10 5	£ s. d. 5,002 17 6	£ s. d. 5,578 14 0	£ s. d. 10,581 11 6	£ s. d. 18,259 1 11	£ s. d. 84,032 1 6	£ s. d. 102,291 3 5	£ s. d. 325,107 13 10	£ s. d. 393,613 7 6	£ s. d. 718,721 1 4
Periodical payments (Sec. 47).....	84,420 2 7	89,999 11 1	174,419 13 8	64,683 4 1	55,389 0 7	120,072 4 8†	2,861 8 10	3,382 16 2	6,244 5 0‡	11,071 8 10	47,265 18 3	58,337 7 1	163,036 4 4	196,037 6 1	359,073 10 5
Periodical payments per £100 wages lost...	50 18 0	51 9 0	51 2 0	53 10 0	50 5 0	51 18 0	59 10 0	65 10 0	62 15 0	60 13 0	56 3 0	57 0 0	50 3 0	49 16 0	49 19 0
Cost of medical aid.....	89,330 13 3	101,502 18 10	190,833 12 1	73,705 18 0	40,402 18 7	114,108 16 7	2,562 11 8	2,762 18 7	5,325 10 3	4,122 16 6	5,516 7 7	9,639 4 1	169,721 19 5	150,185 3 7	319,907 3 0
Transport.....	917 1 3	1,084 16 0	2,001 17 3	—	—	—	12 8 6	14 18 6	27 7 0	74 0 2	78 12 3	152 12 5	1,003 9 11	1,178 6 9	2,181 16 8
Lump sums paid to workmen for permanent disablement.....	43,472 10 4	62,104 7 5	105,576 17 9	38,555 17 0	48,461 3 6	87,017 0 6	1,036 8 10	1,159 13 11	2,196 2 9	4,398 17 10	7,921 12 2	12,320 10 0	87,463 14 0	119,646 17 0	207,110 11 0
Pensions paid to workmen.....	727 18 1	2,207 0 0	2,934 18 1	17 8 8	441 3 2	458 11 10	—	23 12 6	23 12 6	297 18 5	856 11 6	1,154 9 11	1,043 5 2	3,528 7 2	4,571 12 4
Compensation paid to dependants—															
(1) Excluding children's pensions.....	17,166 2 11	17,406 4 1	34,572 7 0	15,022 6 10	15,837 16 10	30,860 3 8	—	2,660 2 2	2,660 2 2§	11,134 8 4	10,210 16 11	21,345 5 3	43,322 18 1	46,115 0 0	89,437 18 1
(2) Children's pensions.....	1,295 16 11	2,366 4 2	3,662 1 1	1,496 14 11	2,876 8 7	4,373 3 6	—	84 15 11	84 15 11	1,000 16 1	1,936 13 5	2,937 9 6	3,793 7 11	7,264 2 1	11,057 10 0
Ex gratia payments.....	354 0 6	1,070 18 2	1,424 18 8	19,584 13 8	26,460 1 6	46,044 15 2	103 19 2	386 18 2	490 17 4	—	360 19 10	360 19 10	20,042 13 4	28,278 17 8	48,321 11 0
Increased awards.....	2,369 7 5	2,181 10 0	4,550 17 5	—	—	—	—	—	—	—	—	—	2,369 7 5	2,181 10 0	4,550 17 5
Funeral expenses.....	119 5 0	42 3 0	161 8 0	—	—	—	—	—	—	16 0 0	—	16 0 0	135 5 0	42 3 0	177 8 0
Sundries.....	35 12 2	37 4 7	72 16 9	—	—	—	9 8 0	6 8	9 14 8	—	3 11 5	3 11 5	45 0 2	41 2 8	86 2 10
Constant attendance.....	—	59 12 0	59 12 0	—	—	—	—	—	—	—	—	—	—	59 12 0	59 12 0
TOTAL.....£	240,208 10 5	280,062 9 4	520,270 19 9	213,066 3 2	189,868 12 9	402,934 15 11	6,586 5 0	10,476 2 7	17,062 7 7	32,116 6 2	74,151 3 4	106,267 9 6	491,977 4 9	554,558 8 0	1,046,535 12 9

* These are claims which have figured more than once in the various returns before the final payments were made.

† To this figure must be added an amount of £17,588. 11s. 5d., being periodical payments made *ex gratia*.

‡ To this figure must be added an amount of £374. 17s. 4d., being periodical payments made *ex gratia*.

§ To this figure must be added an amount of £116. 0s. 0d., being lump sum payments made “*ex gratia*.” to Dependants.

ANNEXURE III. (cont)

	Departments (including Rivers and Harbours).		Grand Total.		
	1937.	Total.	1935-36.	1937.	Total.
Number of workmen.....	170	2,644	22,491	24,931	47,422
Number of fatal injuries....	46	68	1,077	1,062	2,139
"A" Claims.....	154	260	2,818	4,094	6,912
Earnings lost during temporary disablement.....	s. d. 3 3	£ s. d. —	£ s. d. —	£ s. d. —	£ s. d. —
Periodical payments per £100.....	14 0	—	—	—	—
Compensation for temporary disablement.....	19 2	3,311 3 11	15,868 16 9	17,546 8 4	33,415 5 1
Cost of medical aid.....	5 1	1,578 0 7	59,683 19 0	56,102 0 0	115,785 19 0
Transport of injured workmen.....	18 4	19 3 7	177 13 6	529 6 3	706 19 9
Lump sums paid to workmen.....	16 0	2,557 0 9	56,938 6 11	57,707 1 11	114,645 8 10
Lump sums paid to dependants.....	0 3	2,968 18 11	44,878 2 0	43,784 2 6	88,662 4 6
Ex gratia payments.....	—	—	397 17 0	780 16 4	1,178 13 4
Funeral expenses.....	—	1 6 5	31 11 5	41 8 0	72 19 5
Constant attendance	—	—	—	25 0 0	25 0 0
TOTAL.	18 10	10,435 14 2	177,976 6 7	176,516 3 4	354,492 9 11

	Departments (including Rivers and Harbours).		Grand Total.		
	1937.	Total.	1935-36.	1937.	Total.
All workmen.....	1,097	18,030	58,519	67,919	126,438
Fatal injuries.....	94	180	1,282	1,258	2,540
"A" Claims.....	367	4,341	11,907	17,661	29,568
TOTAL	3 2 2	116,703 3 8	669,953 11 4	731,074 11 4	1,401,028 2 8

Grand Total.		
1902	£	s. d.
1902	100,056	9 11
1902	67,743	3 3
1904	167,799	13 2

(II).—ACTUAL PAYMENTS—NATIVE WORKMEN.

ANNEXURE III. (contd).

	Licensed Insurers.			Mutual Associations.			Exempted Employers.			Government Departments (including South African Railways and Harbours).			Grand Total.		
	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.
Number of workmen.....	12,023	14,721	26,744	8,265	8,325	16,590	729	715	1,444	1,474	1,170	2,644	22,491	24,931	47,422
Number of fatal injuries.....	290	213	503	762	779	1,541	3	24	27	22	46	68	1,077	1,062	2,139
"A" Claims.....	2,583	3,843	6,426	23	29	52	106	68	174	106	154	260	2,818	4,094	6,912
Earnings lost during temporary disablement	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Periodical payments per £100 of wages lost	—	27,632 18 6	—	—	—	—	—	1,298 13 3	—	—	3,080 3 3	—	—	—	—
Compensation for temporary disablement..	11,034 0 6	12,820 9 2	23,854 9 8	2,499 3 0	2,716 17 1	5,216 0 1	432 8 6	601 2 11	1,053 11 5	1,903 4 9	1,407 19 2	3,311 3 11	15,868 16 9	17,546 8 4	33,415 5 1
Cost of medical aid.....	29,186 7 0	33,599 11 8	62,785 18 8	28,866 17 8	20,201 9 4	49,068 7 0	1,120 18 10	1,232 13 11	2,353 12 9	509 15 6	1,068 5 1	1,578 0 7	59,683 19 0	56,102 0 0	115,785 19 0
Transport of injured workmen.....	168 14 3	514 4 1	682 18 4	—	—	—	2 14 0	2 3 10	4 17 10	6 5 3	12 18 4	19 3 7	177 13 6	529 6 3	706 19 9
Lump sums paid to workmen for permanent disablement.....	12,819 13 0	13,951 9 1	26,771 2 1	43,086 10 8	41,653 12 0	84,740 2 8	142 18 6	434 4 10	577 3 4	889 4 9	1,667 16 0	2,557 0 9	56,938 6 11	57,707 1 11	114,645 8 10
Lump sums paid to dependants.....	11,515 3 4	8,876 0 3	20,391 3 7	32,179 0 0	31,786 7 0	63,965 7 0	100 0 0	1,236 15 0	1,336 15 0	1,083 18 8	1,885 0 3	2,968 18 11	44,878 2 0	43,784 2 6	88,662 4 6
Ex gratia payments.....	—	55 15 9	55 15 9	325 12 6	722 10 6	1,048 3 0	72 4 6	2 10 1	74 14 7	—	—	—	397 17 0	780 16 4	1,178 13 4
Funeral expenses.....	30 5 0	40 0 0	70 5 0	—	—	—	—	1 8 0	1 8 0	1 6 5	—	—	31 11 5	41 8 0	72 19 5
Constant attendance	—	25 0 0	25 0 0	—	—	—	—	—	—	—	—	—	—	25 0 0	25 0 0
TOTAL.....£	64,754 3 1	69,882 10 0	134,636 13 1	106,957 3 10	97,080 15 11	204,037 19 9	1,871 4 4	3,510 18 7	5,382 2 11	4,393 15 4	6,041 18 10	10,435 14 2	177,976 6 7	176,516 3 4	354,492 9 11

(III).—ALL WORKMEN.

	Licensed Insurers.			Mutual Associations.			Exempted Employers.			Government Departments (including South African Railways and Harbours).			Grand Total.		
	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.	1935-36.	1937.	Total.
All workmen.....	37,304	39,487	76,791	14,662	13,853	28,515	1,620	1,482	3,102	4,933	13,097	18,030	58,519	67,919	126,438
Fatal injuries.....	387	298	685	805	833	1,638	4	33	37	86	94	180	1,282	1,258	2,540
"A" Claims.....	10,024	13,261	23,285	418	607	1,025	491	426	917	974	3,367	4,341	11,907	17,661	29,568
TOTAL PAYMENTS...£	304,962 13 6	349,944 19 4	654,907 12 10	320,023 7 0	286,949 8 8	606,972 15 8	8,457 9 4	13,987 1 2	22,444 10 6	36,510 1 6	80,193 2 2	116,703 3 8	669,953 11 4	731,074 11 4	1,401,028 2 8

PENSIONERS AS AT 31ST DECEMBER, 1937.

	Licensed Insurers.		Mutual Associations.		Exempted Employers.		Government Departments (including South African Railways and Harbours).		Grand Total.	
(1) Workmen.....	57	£ s. d. 59,915 7 11	12	£ s. d. 15,620 12 9	1	£ s. d. 440 14 0	32	£ s. d. 24,079 15 3	102	£ s. d. 100,056 9 11
(2) Children.....	171	£ s. d. 19,415 8 4	138	£ s. d. 28,127 0 9	8	£ s. d. 990 19 0	175	£ s. d. 19,209 15 2	492	£ s. d. 67,743 3 3
	228	£ s. d. 79,330 16 3	150	£ s. d. 43,747 13 6	9	£ s. d. 1,431 13 0	207	£ s. d. 43,289 10 5	594	£ s. d. 167,799 13 2

ANNEXURE IV.

A.—TOTAL ESTIMATED COST OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1937.

B.—REVISED LOSS OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1936, IN RESPECT OF LICENSED INSURERS.

European, Asiatic and Coloured Workmen.

	Revised Estimate of Cost of Compensation Paid and Payable by Licensed Insurers in respect of Accidents arising during 1936.	Estimated Cost of Compensation Payable in respect of Accidents arising during 1937.				
		Licensed Insurers.	Mutual Associations.	Exempted Employers.	Government Departments (including South African Railways and Harbours).	Total.
Number of workmen—						
Europeans.....	15,435	—	—	—	—	—
Asiatics.....	1,066	—	—	—	—	—
Coloureds.....	4,470	—	—	—	—	—
TOTAL.....	20,971	24,983	5,684	812	12,372	43,851
Married.....	11,027	—	—	—	—	—
Females.....	1,788	—	—	—	—	—
Fatal injuries.....	91	87	45	8	49	189
Wages lost during temporary disablement.....	£ 151,853 s. 4 d. 7	£ — s. — d. —	£ — s. — d. —	£ — s. — d. —	£ — s. — d. —	£ — s. — d. —
Periodical payments.....	78,375 2 3	90,155 0 11	59,041 6 5	3,718 1 1	50,469 7 9	203,383 16 2
Periodical payments per £100 wages lost.....	51 12 0	—	—	—	—	—
Cost of medical aid.....	84,064 7 8	106,162 13 10	40,402 18 7	2,679 19 0	5,937 12 0	155,183 3 5
Cost of transport.....	1,194 9 5	849 18 11	—	14 18 6	103 2 4	967 19 9
Lump sums paid to workmen for permanent disablement	49,305 3 2	58,857 2 9	43,203 12 5	1,823 5 3	5,896 14 5	109,780 14 10
Pensions.....	28,702 14 1	20,321 14 8	2,507 1 8	464 6 6	8,468 6 10	31,761 9 8
Lump sums to dependants..	17,503 8 5	18,068 12 2	14,212 16 10	2,111 10 7	12,392 18 9	46,785 18 4
Children's pensions.....	11,552 0 8	5,840 8 10	14,031 11 4	888 18 6	10,536 2 6	31,297 1 2
<i>Ex gratia</i> payments.....	467 16 8	800 7 0	23,623 15 5	368 18 2	360 19 10	25,172 0 5
Increased awards (Sec. 5)...	2,597 17 5	—	—	—	—	—
Constant attendance (Sec. 52)	—	59 12 0	—	—	—	59 12 0
Funeral expenses.....	38 0 0	34 11 9	—	—	1 10 0	36 1 9
Sundries.....	59 18 1	136 13 11	—	6 8	3 11 5	140 12 0
TOTAL.....£	273,860 17 10	301,286 16 9	197,023 2 8	12,088 4 3	94,170 5 10	604,568 9 6
Compensation paid to dependants per fatal accident....	£326 0 0	272 0 0	627 0 0	375 0 0	468 0 0	418 0 0
Compensation and medical aid per accident.....	£13 1 0	12 1 0	34 17 0	14 18 0	7 12 0	14 1 0
Compensation only per non-fatal accident.....	£7 11 0	6 17 0	18 18 0	7 10 0	5 5 0	7 18 0
Pensioners—						
Workmen.....	28	26	3	1	9	39
Children.....	91	54	67	7	89	217

ANNEXURE V.

A.—TOTAL ESTIMATED COST OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1937.
B.—REVISED COST OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1936, IN RESPECT OF LICENSED INSURERS.

Native Workmen.

	Revised Estimate of Cost of Compensation Paid and Payable by Licensed Insurers in respect of Accidents arising during 1936.	Estimated Cost of Compensation Payable in respect of Accidents arising during 1937.				
		Licensed Insurers.	Mutual Associations.	Exempted Employers.	Government Departments (including South African Railways and Harbours).	Total.
Number of workmen.....	10,776	14,964	8,162	722	1,209	25,057
Fatal injuries.....	205	214	771	28	42	1,055
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Periodical payments.....	10,295 5 2	14,835 16 10	2,113 4 11	635 3 4	1,496 16 9	19,081 1 10
Cost of medical aid.....	28,471 8 6	34,689 10 3	20,201 9 4	1,267 1 9	885 11 1	57,043 12 5
Cost of transport.....	282 14 0	471 11 5	—	2 3 10	8 0 7	481 15 10
Lump sums to workmen for permanent disablement....	11,745 6 6	13,203 12 9	39,255 6 9	510 7 6	1,730 4 9	54,699 11 9
Lump sums paid to depend- ants.....	9,207 19 10	9,331 19 8	31,580 6 6	1,461 15 0	1,506 15 9	43,880 16 11
<i>Ex gratia</i> payments.....	59 0 9	6 15 0	517 1 0	2 10 1	—	526 6 1
Funeral expenses.....	26 0 0	47 10 0	—	1 8 0	—	48 18 0
Sundries.....	25 0 0	—	—	—	—	—
TOTAL.....£	60,112 14 9	72,586 15 11	93,667 8 6	3,880 9 6	5,627 8 11	175,762 2 10
Compensation paid to depend- ants per fatal accident....	45 8 0	43 12 0	40 19 0	52 4 0	36 0 0	42 0 0
Compensation and medical aid per accident.....	5 12 0	4 17 0	11 10 0	5 7 0	4 13 0	7 0 0
Compensation only per non- fatal accident.....	2 2 0	1 19 0	5 12 0	1 16 0	2 15 0	3 2 0

ANNEXURE VI.

A.—TOTAL ESTIMATED COST OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1937.
B.—REVISED COST OF COMPENSATION FOR THE YEAR ENDED 31ST DECEMBER, 1936, IN RESPECT OF LICENSED INSURERS.

All Workmen.

	Revised Estimate of Cost of Compensation Paid and Payable by Licensed Insurers in respect of Accidents arising during 1936.	Estimated Cost of Compensation Payable in respect of Accidents arising during 1937.				
		Licensed Insurers.	Mutual Associations.	Exempted Employers.	Government Departments (including South African Railways and Harbours).	Total.
Number of workmen.....	31,737	39,947	13,846	1,534	13,581	68,908
Fatal injuries.....	296	301	816	36	91	1,244
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Periodical payments.....	88,670 7 5	104,990 17 9	61,154 11 4	4,353 4 5	51,966 4 6	222,464 18 0
Cost of medical aid.....	112,535 16 2	140,852 4 1	60,604 7 11	3,947 0 9	6,823 3 1	212,226 15 10
Cost of transport.....	1,477 3 5	1,321 10 4	—	17 2 4	111 2 11	1,449 15 7
Lump sums paid to workmen for permanent disablement						
Pensions—injured workmen..	61,050 9 8	72,060 15 6	82,458 19 2	2,333 12 9	7,626 19 2	164,480 6 7
Lump sums paid to depend- ants.....	28,702 14 1	20,321 14 8	2,507 1 8	464 6 6	8,468 6 10	31,761 9 8
	26,711 8 3	27,400 11 10	45,793 3 4	3,573 5 7	13,899 14 6	90,666 15 3
Pensions—children.....	11,552 0 8	5,840 8 10	14,031 11 4	888 18 6	10,536 2 6	31,297 1 2
Ex gratia payments.....	526 17 5	807 2 0	24,140 16 5	389 8 3	360 19 10	25,698 6 6
Increased awards (Sec. 5)...	2,597 17 5	—	—	—	—	—
Constant attendance (Sec. 52)	—	59 12 0	—	—	—	59 12 0
Funeral expenses.....	64 0 0	82 1 9	—	1 8 0	1 10 0	84 19 9
Sundries.....	84 18 1	136 13 11	—	6 8	3 11 5	140 12 0
TOTAL.....£	333,973 12 7	373,873 12 8	290,690 11 2	15,968 13 9	99,797 14 9	780,330 12 4
Compensation paid to depend- ants per fatal accident.....	138 0 0	110 9 0	73 6 0	123 19 0	268 10 0	98 0 0
Compensation and medical aid per accident.....	10 10 0	9 8 0	21 0 0	10 8 0	7 7 0	11 6 0
Compensation only per non- fatal accident.....	5 11 0	5 0 0	11 4 0	4 15 0	5 1 0	6 4 0

CHAPTER V.

INTERNATIONAL LABOUR ORGANIZATION.

[For a general description of the Organization, see Annual Report of the Department of Labour for the year ending December, 1932 (U.G. 37—1933).]

TWENTY-THIRD SESSION OF THE CONFERENCE.

The Twenty-third Session of the Conference opened at Geneva on the 3rd June, 1937, and concluded its deliberations on the 23rd of that month. The following items appeared on the Agenda:—

A. *Main Items.*

- I. Safety provisions for workers in building construction.
- II. Reduction of hours of work in the textile industry.
- III. The planning of public works in relation to employment.
- IV. Reduction of hours of work in printing and kindred trades.
- V. Reduction of hours of work in the chemical industry.
- VI. Partial revision of the Minimum Age (Industry) Convention, 1919 (No. 5).
- VII. Partial revision of the Minimum Age (non-Industrial Employment) Convention, 1932 (No. 33).

B. *Other Matters.*

- I. Annual Report of the Director of the International Labour Office.
- II. Annual Reports by States Members on measures taken to give effect to ratified Conventions.
- III. Decennial Reports on the working of the Workmen's Compensation (Accidents) Convention, 1925 (No. 17); Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); and the Inspection of Emigrants Convention, 1926 (No. 21).
- IV. Quinquennial Report on the working of the Forced Labour Convention, 1930 (No. 29).

Delegation.—The delegation appointed to represent the Union was as follows:—

Representing the Government:

Delegates: Mr. Ivan L. Walker, Secretary for Labour and Social Welfare, Leader of the Delegation.
Mr. H. T. Andrews, Accredited Representative of the Union to the League of Nations.

Representing the Employers:

Delegate: Mr. W. F. Boustred, Past President of the Witwatersrand Master Builders' and Allied Trades' Association.
Adviser: Mr. A. Munro, Associated Master Printers of the Transvaal.

Representing the Employees:

Delegate: Mr. D. McWilliams, Agent of the Industrial Council for the Building Industry, Cape Peninsula.
Adviser: Mr. C. Harris, General Secretary of the South African Mine Workers' Union.

REPORT OF THE GOVERNMENT DELEGATES.

Mr. Ivan L. Walker and Mr. H. T. Andrews, as Government Delegates, reported *inter alia* as follows:—

The Twenty-third Session of the International Labour Conference, which opened at Geneva on June 3rd under the Presidency of Mr. S. Lemass (Irish Free State Minister of Industry), was memorable for being the largest Session of the Conference since the foundation of the Labour Office.

This resulted from the presence of fifty-one nations—embracing in particular, important non-League Members like the United States of America, Japan and Brazil—with a total complement of 415 persons entitled to participate in the work of the Conference. Of these, the Government, Employers' and Workers' Groups accounted for 97, 36, and 35 delegates respectively, together with 247 Advisers attached to the various groups. The increasing number of Advisers attending the Annual Conference is indicative of the importance attached by States Members of the Labour Organization to the necessity of having experts to deal with the multiplicity of special social subjects on the Conference's ever-expanding agenda.

As last year, Italy remained a notable absentee from the Conference—in pursuance of a non-co-operative policy in League affairs.

DISPOSAL OF ITEMS ON THE AGENDA.

The first two items on the Agenda pursued the normal course prescribed by Standing Orders, namely, the double-discussion procedure, whereby the preliminary questionnaire having been prepared and transmitted to Governments in 1936, the final formulation of Conventions or Recommendations was set down for this year. But in respect of the three succeeding items, the Conference decided, on a resolution of the Workers Group, to set aside Standing Orders, by the omission of the first stage (the preparation of questionnaires), and instead to vote this Session on the draft Conventions which had been formulated by the Labour Office.

This action evoked protests both from the Employers' Group (as and unjustified departure from Standing Orders), and, more substantially, also from some Governmental delegations, for the reason that single discussion put distant Governments in an impossible position, in that they had no time to consider the proposals, nor could they afford to send "an army of experts" (the words of the Indian Government delegate), to the Conference as some European Governments. This point of procedure is of some importance, and will be reverted to at a later stage in this report.

Every item of the Agenda was of importance in one or other sphere of the vast framework of Social legislation built up by the International Labour Office since its inception, but special interest this year undoubtedly centred round the proposal to extend the principle of the 40-Hour Convention of 1935 to the three most important industries—textiles, printing and chemical industries—which had as yet found their way on to the agenda of these annual Conferences.

The Forty-hour Week.—The battle of the 40-Hour Week, as will be recalled, has been waged at every annual session of the International Labour Conference since 1932, but it was not until 1935, after a long and often acrimonious struggle, that the Workers' Group eventually succeeded in securing the requisite two-thirds majority to pass the Forty-Hour Week Convention (No. 47) of 1935.

Each Member ratifying this Convention (significantly enough the minimum two ratifications necessary to render it formally operative, are still lacking), declared its approval of the principle of a "forty-hour week applied in such a manner that the standard of living is not reduced in consequence", and undertook to apply this principle to individual industries by means of separate Conventions. In pursuance of this latter undertaking, individual draft Conventions were introduced before the 1936 Conference in respect of Building and Civil Engineering; Iron and Steel Works; Coal Mines; Glass-bottle Works; and finally Public Works (undertaken or subsidized by Governments), but in consequence of the almost unanimous opposition of the Employers' Group (a singular exception is the United States of America), Conventions have failed for want of a two-thirds majority in respect of all but Glass-bottle Works (a very restricted industry), and Public Works (as yet unratified).

In the meantime, however, France, New Zealand, and to some extent, the United States, have all introduced the principle of a forty-hour week with flexible variations, and this year, therefore, some measure of hope was entertained by the Workers' Group that better success would attend the proposed Conventions for printing, chemicals, and textiles. These expectations were not fulfilled, however. For although simple majorities were obtained in favour of a Printing Industry Convention (72 votes for, 43 against; 41 abstentions); and of the Chemical Industry Convention (76 for, 42 against; 47 abstentions), the two-thirds majority obstacle still could not be surmounted, and the Conventions accordingly were defeated.

The Draft Convention relating to the Textile Industry alone narrowly achieved the necessary majority (88 votes to 31), a result that was at once a tribute to the special interest in the Convention which the United States Government had shown, and at the same time a vindication (in the face of past failure), of the potentiality of the Labour Organization at Geneva to pass a 40-Hour International Convention applicable to at least one important industry, when indeed the United States had been operating nationally and voluntarily on that basis for almost two years. Not to have succeeded, it was feared, might have endangered the future relations of the United States with the Geneva institution. Nevertheless, general ratification must remain extremely problematical, in consequence of the opposition recorded against the Convention by the Indian, Japanese and United Kingdom Governments.

Until the more important industrial countries fall into line there can be little hope of the Convention becoming effective. In that regard, therefore, it is worthy of note that the British Government reiterated its policy as that of the encouragement of collective bargaining between employers and employees, the main feature of which was that hours and wages were fixed in relation to each other,

and that there was no question of fixing hours without regard to wages. On that account, the British Government (declared its delegate) was satisfied that in present circumstances, the reduction of hours to forty would be likely to result in wage reduction, a rise in production costs and an increase in unemployment. It is clear that, as a country of principal industrial importance, the United Kingdom viewpoint must be decisive of the policy of other Members of the Labour Organization towards 40-Hour Week Conventions, which in consequence must remain a *res spei*, unless the rigid basis upon which they have hitherto been framed is altered.

On the final voting of the foregoing three Conventions, your Government delegates abstained out of regard for the fact that the Union Government had not adhered to the basic Forty-Hour Convention of 1935, and in conformity with the policy that, until at least the more important industrial countries had adopted specific Conventions, the Union could not consider adhesion.

A final word on the subject of the shorter working week remains to be added. When any particular Hours of Work Convention had failed of a two-thirds majority in the past, the Workers' Group sought the Conference's approval to restore the draft Convention to the agenda of the next or some subsequent annual session. Experience has revealed, however, that the existing method of attempting to apply the principle of a 40-Hour Week to individual industries, is both slow and—judged by the number of rejected Conventions—ineffective. In recognition of that situation, the Workers' Group this year moved, and the Conference approved, a general resolution, in which the Governing Body of the International Labour Organization was requested—

“to examine the situation and to consider placing on the agenda of the next Conference, the question of the generalization of the reduction of hours of work in all economic activities not covered by Conventions already adopted”.

A restrictive interpretation will certainly be imposed by the Governing Body on the idea of a general Convention on “all economic activities”—agriculture, for example, must clearly be excluded at present. But it is the hope both of the Conference and the Labour Office, that in consequence of the Governing Body's consideration in October, 1937, the existing rigid 40-Hour week proposals will be abandoned, and be replaced by a general Convention, aiming at a gradual reduction of hours of work from the existing conventional 48 per week, to figures which, while they may very well vary according to the economic and industrial development of individual countries, will nevertheless accord recognition and acceptance of the movement for a shorter working week.

The remaining items of the Agenda which engaged the Conference's attention will perhaps require only brief comment.

Safety Provisions for Workers in Building Construction.—The Conference approved a draft Convention and four auxiliary Recommendations under this head. The Convention aims, broadly, at standardising minimum safety provisions, capable of general application, for workers in the building industry, with particular reference to scaffolding and hoisting machinery. The subsidiary Recommendations relate to building inspection; co-operation in accident prevention; and vocational education for the building industry, and, like the major Convention, were adopted without opposition.

Your delegates voted for all these measures.

The Planning of Public Works in relation to Employment.—The Conference formulated two very useful Recommendations on this subject, the first dealing with “International Co-operation in respect of Public Works”; the other, “National Planning of Public Works”; under which proposals are made as to the “Timing” and “Financing” of Works, the “Class of Workers” to be employed, and their conditions of recruitment and employment. As Recommendations only serve as a basis for consideration by Members of the Labour Organization with a view to their being given effect by national legislation or otherwise, your delegates had no hesitation in voting for these measures, the principles of which will form a helpful guide for the creation of an organization for the planning and carrying out of public works in a systematic way.

The Conference, in addition, adopted an auxiliary resolution to set up an international public works committee to correlate the statistical and other analogous data, asked for by the Recommendations. The exchange and pooling of information and experience between countries, as envisaged by the resolution, will, it is thought, be equally useful.

Minimum Age (Industry) Convention 1919: Partial Revision.—The principle revision consisted in raising the minimum age of admission of children in Industry to fifteen. The original Convention

fixed the age of admission at 14, and the fact that the Conference approved the new age limit at 15, indicated (in the word of the President), "the growing social conscience of the world". Although the Union Government has not yet found it practicable in present circumstances to adhere to the original Convention, your delegates voted for the revised Convention as an indication of the Government's approval of the principle which inspired the revision. The revised Convention was adopted by 98 votes to 18. The counterpart of this Convention—the revision of Minimum Age (Non-Industrial Employment) 1932—was also adopted by the Conference, but in this case, your delegates abstained.

Application of Conventions.—Each year the Conference sets up a Committee, in terms of Article 22 of the Labour Organization, to examine whether practical application is being accorded to the various Conventions ratified by Members of the Organization.

None of the Conventions ratified by the Union Government—Convention No. 2 (Unemployment); Convention No. 4 (Night Work: Women); Convention No. 19 (Equality of Treatment—Accident Compensation); or Convention No. 26 (Minimum Wage-fixing machinery), called for any observation from the Committee. But on the general question of the application of Conventions, the Conference once again endorsed the view that the success of the Organization depended upon the effective practical application of ratified Conventions by means of appropriate national measures, and insisted that Labour Conventions must be regarded as imposing specific obligations, and not—contrary to the attitude of certain ratifying countries—as mere programmes of future reform.

RESOLUTIONS.

Of the various resolutions submitted to the Conference one only (other than in relation to Hours of Work, mentioned previously), was of any direct interest to the Union Government. It emanated from the Indian Workers' Delegate, and urged with regard to native labour conditions, that, in addition to the proposal to place the question of "the regulation of contracts of employment of indigenous workers" on the 1938 agenda, the Governing Body of the International Labour Office should, with a view to future international regulation, also study the problem of wages (methods and periodicity of payment, advances, deferred pay remittances to dependents, *truck system*, legal protection); housing (compounds, accommodation for families, provision of gardens); rations and health protection. In support of his resolution, the speaker concentrated largely on conditions within the tropical zone—Kenya, Tanganyika, Nyasaland, Malaya, etc.—but touched also upon the truck system in Natal (he referred to the enquiry held in 1937 regarding store tokens paid as wages), and to the alleged "undesirable and complicated situation" which had arisen in Basutoland owing to the irregularity of payment of recruited natives.

The motion was accepted without discussion or division.

REPORT OF THE DIRECTOR.

The Report for 1937 of the Director of the International Labour Office now ranks as a classic among international annual reviews. This year it presented an excellent synthesis of events, and probable course of events, in world economic and social life, and contained an interesting survey of the lessons of the recent economic crisis. The publication is already in the Department's hands and summarisation is therefore unnecessary; but it would be an omission not to invite attention to the debate which takes place annually on the Report in session of the Conference, and which constitutes one of its most valuable features.

During the five days' debate on this Report, there were few subjects in the social and economic range not touched upon by speakers from Government, Employers' or Workers' Groups. On that account, the discussion affords a valuable searchlight, not only upon social progress in individual countries—as divergent in their constitutional structure as the United States and the Soviet Republic, to quote only two examples—but on the difficulties and obstacles which have to be overcome in the attempt to handle social-economic problems on an international scale.

The reply of the Director to the debate is also well worthy of perusal as an analysis of the problems and criticisms touched upon in the general discussion, and for his defence of the policy of a reduction of working hours. He reached the conclusion that technical improvement and the magnitude of new productive manufacturing capacity had rendered a shorter week economically possible and socially indispensable, if human strain were to be considered, but at the same time, he expressed his belief that a "considerable measure of elasticity" should be permissible in international

legislation on the matter. It was not always possible, he admitted, to apply an identical system of hours of regulation to all industries or even to all countries.

A final point (and one touched upon earlier in this report), should relate to the question of procedure at these annual Conferences, with particular regard to the formulation of Labour Conventions. The Director has agreed as to the unsatisfactoriness of the present method, whereby under the existing double-discussion procedure, the Conference devotes its first reading of any matter upon which it proposes to legislate to drawing up a questionnaire for submission to Governments, and the second reading a year later to drafting a Convention on the basis of those replies.

The principle objection to this method is that Members of the Organization—and especially extra-European Members—up to within a very short period before a Conference, are unaware what form any particular draft Convention is likely to take. Mature consideration of its provisions is therefore impossible, and the result has been that more often than not, Conventions have passed through the Conference which many countries find it impossible to ratify. The Director gave an undertaking to the Conference that the Labour Office would study the matter.

DRAFT CONVENTIONS AND RECOMMENDATIONS.

Two new draft conventions and two which revised earlier conventions, together with seven recommendations, were adopted by the Conference at its Twenty-third Session. For the present, the Union Government has found itself able formally to adopt two of the recommendations only, namely, those dealing with Public Works.

Draft Convention (No. 59) fixing the Minimum Age for Admission of Children to Industrial Employment (Revised 1937).

This Draft Convention prohibits the employment in any industrial undertaking of children under the age of 15 years, except in undertakings in which only members of the employer's family are engaged. The provisions constitute a partial revision of the original Convention (No. 5 of 1919) whereby the employment of children under 14 years was prohibited: this original version was not ratified by the Union.

There is in the Union no general legislation forbidding the employment of children under 15 years, but certain restrictions are contained in the following Acts: The Factories Act fixes the minimum at 14 years, while the Wage Act of 1937 lays down that "the employment of any person under a specified age" may be prohibited; under the Apprenticeship Act, although the indenturing of children under 15 years is not specifically forbidden, in practice practically no such cases occur; in so far as mines and quarries are concerned, the Mines and Works Act prohibits the employment underground of all girls, or boys apparently under the age of 16 years.

In the occupations and establishments not covered by these Acts, the only restrictions imposed are those arising out of the compulsory school attendance provisions, which, however, are only applicable to European and not to non-European children; under these provisions, the minimum school-leaving qualification varies, in the four Provinces, and may be based either on age or on standard attained. The Union is therefore not in compliance with the provisions of the Convention, but the practicability of taking steps which will enable the Government to ratify the conventions is being examined. The Wage Board and all Industrial Councils have been requested to insert provisions in future Recommendations and Agreements prohibiting the employment of persons under fifteen years of age. An amendment to the Factories Act, raising the minimum age of admission to employment in factories from 14 to 15 years is also contemplated. In the meantime, the International Labour Office has been advised that the Union cannot at this stage ratify the Convention.

Draft Convention (No. 60) concerning the Age for Admission of Children to non-Industrial Employment (Revised 1937).

Under this Convention, the full-time employment of "children under 15 years of age or children over 15 years who are still required by national laws or regulations to attend school" is prohibited, and provisions is made for the regulation of the employment of children in "light work" outside the hours fixed for school attendance, in any occupation, etc., not dealt with in the Minimum Age Conventions concerning employment in agriculture (1921), at sea (1936) or in industry (1937). It therefore covers, *inter alia* children employed in commerce, in domestic service, as messengers, office boys, newspaper boys, golf caddies and in other casual employment, both European and non-European. For all practical purposes, in so far as the Union is concerned, the only way in which this revised Convention differs from the original version of 1932 is, that the minimum age is raised from 14 to 15 years, and in the case of "light work" outside school hours, from 12 to 13 years. The Union did not ratify the original Convention, as it was not in compliance with its provisions, nor is it in compliance with those of the revised version, for the following reasons:—

In so far as the European section of the population is concerned, a number of children who, though under the age of 15 years, are no longer subject to compulsory school attendance laws, are employed as usherettes, ice cream vendors, newspaper boys, vendors of advertisements, etc. Others, while still subject to compulsory schooling laws are similarly employed in part time capacities. The Juveniles Act does not prohibit this and even if it were to be amended the position would not be met since the Act applies only in areas where Juvenile Affairs Boards have been appointed.

As regards non-Europeans, ratification of the Convention is even more impracticable. In view of the fact that there is no compulsory education in their case, the Convention covers all non-Europeans under the age of 15 years. The first difficulty is that of ascertaining their correct age, and, as casual employment is covered this may be of some importance. Further, they do not fall within the scope of the Juveniles Act, and although the number under 15 years, who are employed, may not be large, there is no general machinery for controlling their employment, nor would the introduction of the "adequate system of public inspection and supervision", or the "register of the names and dates of birth of all persons under the age of 18 years", required by the Convention appear to be feasible. Finally, to prohibit the employment of such non-Europeans in the occupations, etc., falling within the scope of the Convention, when the facilities for their schooling are frequently inadequate, and entirely lacking in many cases, would be to encourage idleness and the menace of "skolly boys" and other hooligans.

The Government has therefore notified the International Labour Office of its inability to ratify the Convention.

Draft Convention (No. 61) concerning the Reduction of Hours of Work in the Textile Industry.

States Members ratifying this Convention—

- (1) confirm the principle laid down in the Forty-Hour Week Convention, 1935, including the maintenance of the standard of living; and
- (2) agree to apply this principle to persons employed in the textile industry, as defined in the Convention.

The Union Government has not ratified the Forty-Hour Week Convention referred to in (1), and the textile industry in this country at present observes a forty-eight hour week, which was recently re-affirmed in a determination made under the Wage Act. After consultation with the seven textile firms in the Union, it was felt that the reduction of the normal working week to forty hours would be impracticable at this stage. The International Labour Office was accordingly informed that the Union Government could not ratify the Convention.

Draft Convention (No. 62) and Recommendations (Nos. 53, 54 and 55) concerning Safety Provisions in the Building Industry.

The Draft Convention lays down a number of general provisions relating to the construction of scaffolding, working platforms, gangways, stairways, etc., and to the working of hoisting machines, cranes and motors, and also provides for compulsory safety equipment and prompt first-aid treatment. Recommendation No. 53 supplements the Draft Convention by detailed safety regulations contained in a Model Code, while Recommendations Nos. 54 and 55 provide for inspection, and collaboration in effecting a reduction in the number and severity of accidents in the building industry.

There is in the Union no general legislation concerning safety provisions in this industry. In some areas, by-laws made by the relative local authority are in operation, in others there are no such regulations. Furthermore, there is no uniformity in the existing provisions and generally speaking, those at present in force do not ensure the enforcement of detailed requirements, such as those laid down in the Draft Convention and Recommendations. The Union is accordingly not in compliance, and immediate ratification and adoption are not possible. The possibility of introducing such provisions, legislative or otherwise, as will bring the Union into compliance, is however, being investigated. Meanwhile, the International Labour Office has been informed that for the present the Convention and Recommendations cannot be ratified and adopted.

Recommendation (No. 50) concerning International Co-operation in respect of Public Works.

This Recommendation provides for the supply by each State Member of the International Labour Organization of "statistical and other information concerning public works undertaken or planned on its territory, including orders for plant, equipment and supplies". The actual form in which this information is to be supplied has not yet been decided on, but a preparatory meeting of the International Public Works Committee is to be convened at Geneva by the International Labour Office to decide on a uniform plan. The Union Government will be represented at this meeting by its Accredited Representative at Geneva. The International Labour

Office drew up a draft uniform plan to form the basis of discussion at the proposed meeting: the information asked for in this draft plan can, generally speaking, be extracted from the annual Estimates of Expenditure, supplemented by statements drawn up by the employing authorities concerned, and as the Recommendation provides that "the information communicated . . . should be supplied *as far as possible* in accordance with a uniform plan", the Union Government has formally adopted this Recommendation and has informed the League of Nations and the International Labour Office accordingly.

Recommendation (No. 51) concerning the National Planning of Public Works.

With a view to combating unemployment, this Recommendation aims at making provision during years of prosperity for public works to be undertaken during periods of depression. It lays down that appropriate measures should be adopted for the purpose of achieving a suitable timing of all works undertaken or financed by public authorities. This timing should involve an increase in the volume of such works in periods of depression and for this purpose it is desirable to provide for the preparation in advance, during periods of prosperity, of works capable of being held in reserve or exceeding ordinary requirements and which should be ready for execution as soon as the need is felt.

Among the financial measures necessitated by the policy embodied in the Recommendation, the following are stressed—

- (a) the placing to reserve in periods of prosperity of the resources necessary for carrying out works prepared for periods of depression;
- (b) the carrying forward of unexpended balances from one year to another;
- (c) restricted borrowing by public authorities in periods of prosperity and accelerated repayment of loans previously contracted;
- (d) the financing by loan in periods of depression of public works likely to stimulate economic recovery, and, generally speaking, the application of a monetary policy which will make possible the expansion of credit required at such a time for the speeding up of the public works and which will ensure the lowest possible rate of interest on the loans.

The Government decided to adopt the Recommendation, and all Departments and Provincial Administrations are to be approached in connection with the carrying out of its provisions.

In fulfilment of its obligations, the Government has notified the League of Nations and the International Labour Office of the formal adoption of the Recommendation by the Union.

Recommendation (No. 52) concerning the Minimum Age for Admission of Children to Employment in Family Undertakings.

This Recommendation, which is supplementary to Draft Convention No. 59 dealt with above, provides that "Members of the Organization should make every effort to apply their legislation relating to the minimum age of admission to all industrial undertakings, including family undertakings". The Union's industrial legislation does not discriminate between "family undertakings" and ordinary industrial employment. As it is not possible to ratify the Minimum Age (Industry) Convention (Revised) 1937, for the present, and it is made clear in the preamble to the Recommendation that the "industrial undertakings" referred to are those covered by this revised Convention, immediate adoption of the Recommendation is not practicable, and the International Labour Office has been informed accordingly.

Recommendation (No. 56) concerning Vocational Education for the Building Industry.

This Recommendation, like Nos. 53, 54 and 55 referred to above, aims at safety in the building industry (more particularly in connection with scaffolds and hoisting appliances) by including in technical and vocational schools curricula instruction concerning the material used, the construction of appliances, and safety measures and regulations. Some of the points covered by the Recommendation already appear in certain syllabuses for the examinations held by the Union Department of Education and steps are being taken to include further requirements regarding safety measures in order that the Union may be brought into full compliance with the provisions of the Recommendation.

The Recommendation has, therefore, been formally adopted by the Union Government and the League of Nations and the International Labour Office notified accordingly.

POSITION OF THE UNION IN RELATION TO INTERNATIONAL
LABOUR CONVENTIONS.

The position remains as stated in the Departmental Annual Report for 1936, that is to say, the Union has ratified seven of the Conventions adopted by the Conference since 1919, one of which (No. 4, concerning the Employment of Women during the Night), it has since denounced, owing to the fact that the original was replaced by an amended version, which the Union ratified.

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